

48, Acts of 1899, and all other laws in conflict with this Act,"

And find the same correctly engrossed.

M'NEALUS,  
Acting Chairman.

Committee Room,

Austin, Texas, March 1, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 330, A bill to be entitled "An Act to amend Section 18 of an Act entitled 'An Act to provide a more efficient public road system for the county of Montgomery,' passed by the Twenty-seventh Legislature of the State of Texas, approved April 15, 1901, prescribing the compensation of county commissioners when acting as road commissioners in said county, and declaring an emergency,"

And find the same correctly engrossed.

M'NEALUS,  
Acting Chairman.

Committee Room.

Austin, Texas, March 1, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate Bill No. 23, A bill to be entitled "An Act to provide for the location and establishment at the East Texas Penitentiary at Rusk, Cherokee county, Texas, by the Board of Prison Commissioners of the State Penitentiary, of a factory for the manufacture of cotton bagging, cotton sacks, cotton duck, cotton rope, cotton twine and other cotton goods for the employment of managing experts, and of certain convicts in the operation of said factory, to make an appropriation therefor, and the repealing of all laws or parts of laws in conflict with this act, and declaring an emergency."

And find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Terrel of McLennan:  
Petitions numerous signed by citizens—S.

zens of McLennan county, expressing opinion that the proposed consolidation of the St. Louis Southwestern Railway Company, the Stephenville North and South Texas Railway Company would promote the best interests of the State, and urging the passage of the bill.

#### THIRTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 3, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Johnson. Real.

Prayer by Rev. Dr. Bradfield of Austin.

Pending the reading of the Journal of Thursday, on motion of Senator Perkins, the same was dispensed with.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas,

Austin, March 3, 1911.

To the Senate:

I have received Senate Concurrent Resolution No. 22, asking for the return of Senate Bill No. 163 to the Senate for correction.

I take pleasure in complying with the request and return said Senate bill No. 163 herewith.

Yours truly,  
O. B. COLQUITT,  
Governor.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

Senate bill No. 331, A bill to be  
entitled "An Act to grant a special  
charter to the city of Hillsboro, Hill  
county, Texas, repealing all laws or  
parts of laws in conflict herewith,  
and declaring an emergency."

Senate bill No. 68, A bill to be  
entitled "An Act to amend Section  
129, Acts of the Twenty-ninth Leg-  
islature of Texas, relating to the  
scholastic age, and to amend Section  
89, Chapter 124, of the Acts of the  
Twenty-ninth Legislature relating to  
the scholastic census, and declaring  
an emergency."

Senate bill No. 241, A bill to be  
entitled "An Act to empower the  
commissioners court of Fisher county  
to adopt a system for roads; and  
providing that the members of the  
commissioners court of Fisher  
county shall be ex officio road su-  
perintendents of their respective dis-  
tricts, and providing for bonds for  
said ex officio road superintendent;  
and providing for the appointment  
of deputy road superintendents, and  
fixing bonds for said county road  
superintendents; and providing that  
the county treasurer shall keep sepa-  
rate account of funds created under  
this Act; and providing for employ-  
ment of convicts on public roads,  
and regulating officers and witness  
cost of such cases when fines may  
be worked out on the public roads;  
and providing for hands to be  
worked upon the roads; and provid-  
ing for a method of accounting for  
road superintendents; and providing  
for a compensation for road super-  
intendents; and providing for pay-  
ment of labor on roads; and also pro-  
viding for the levy of a special road  
tax under Article 4786 of the Re-  
vised Statutes by a majority vote,  
and providing for the expenditure of  
special road tax; and providing for  
the collector of insolvent poll taxes  
by requiring work on the roads; and  
providing that this Act shall be  
cumulative of the General Laws;  
and providing for an emergency."

House bill No. 373, A bill to be  
entitled "An Act to amend and ex-  
tend the special road law of Wise

county, Texas, as enacted by the  
Twenty-seventh Legislature of Texas,  
so that the same shall hereafter read  
as herein provided, and declaring an  
emergency."

House bill No. 445, A bill to be  
entitled "An Act to grant a new char-  
ter to the city of San Angelo, in  
Tom Green county, Texas, and to fix  
the boundaries thereof, and to re-  
peal all laws and parts of laws in  
conflict herewith, and declaring an  
emergency," with engrossed rider.

House bill No. 260, A bill to be  
entitled "An Act amending Chapter  
128, Section 16, Acts of the Regular  
Session of the Twenty-sixth Legisla-  
ture, being an Act providing a mode  
by which horses, mules, jacks, jen-  
nets and cattle may be prevented  
from running at large in the follow-  
ing counties, or any subdivisions  
thereof, viz: Cooke, Bell, Ellis, Mon-  
tague, Fayette, Johnson, Collin,  
Montague, Lamar, Milam, Denton,  
Falls, Navarro, Fannin, Hunt, Tar-  
rant, Grayson, Guadalupe, Dallas,  
Austin and Brazos, so as to author-  
ize justices of the peace to dispose  
of trespassing stock where the elec-  
tion was held by the entire county,  
and declaring an emergency."

House bill No. 329, A bill to be  
entitled "An Act to amend Article  
1097 of the Code of Criminal Pro-  
cedure of the State of Texas relating  
to the allowance to sheriffs for safe  
keeping, support and maintenance of  
prisoners confined in jail or under  
guard and amount of charges to be  
allowed therefor."

House bill No. 226, A bill to be  
entitled "An Act appropriating the  
sum of twenty-five thousand (\$25,-  
000) dollars, or so much thereof as  
may be necessary, for the enforce-  
ment of any and all laws and for  
the purpose of paying any and all  
necessary expenses in bringing and  
prosecuting any and all suits; and  
for the employment of special coun-  
sel and paying the expenses in col-  
lecting evidence, and providing that  
such appropriation shall be expended  
under the direction of the Attorney  
General, and declaring an emer-  
gency."

House bill No. 498, A bill to be  
entitled "An Act to amend Article  
3075 of Chapter 3, Title 58, of the  
Revised Civil Statutes of the State  
of Texas, relating to insurance, as  
amended by the Act of the Twenty-  
ninth Legislature, April 13, 1905;  
providing the limitations upon the

amount of any one risk or hazard to be assured by any fire, fire and marine, marine or inland, lightning or tornado insurance company; providing that reinsurers shall be authorized to do business in the State; and providing for report by said companies."

House bill No. 496, A bill to be entitled "An Act creating the Jourdanton Independent School District in Atascosa county, Texas, and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; investing the said district with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes only, and declaring an emergency."

House bill No. 488, A bill to be entitled "An Act incorporating the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only, defining its boundaries and providing for the board of trustees, divesting the city of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees, prescribing the rights, powers, privileges and duties of said Winnsboro Independent School District and its board of trustees, and declaring an emergency."

House bill No. 247, A bill to be entitled "An Act creating a more efficient road system for Upshur county, Texas; prescribing the powers and duties of the commissioners court with reference to the public roads; making members of the commissioners court ex officio road superintendents of their respective precincts, and defining and prescribing their duties as such; prescribing the powers and duties of the road overseers, designating who are liable to road service; prescribing their duties and privileges; prescribing additional revenue for roads and bridges by additional ad valorem tax; prescribing how road and bridge funds shall be expended; prescribing penalties for the violation of the provisions of this Act; providing that this Act be cumulative of all laws on the subject of roads and bridges, and that it be taken notice of by the courts as all other general laws of the State; repealing all laws

in conflict, and declaring an emergency."

House bill No. 490, A bill to be entitled "An Act to incorporate the city of Bonham and to grant it a new charter; to define its powers and to prescribe its duties and liabilities, and declaring an emergency."

House bill No. 476, A bill to be entitled "An Act to amend Section 1 of an Act creating and incorporating the Martindale Independent School District, enacted by the Thirty-first Legislature (Regular Session, Chapter 28, page 215, Special Laws of Texas), and declaring an emergency."

House bill No. 343, A bill to be entitled "An Act to amend Article 1537, Chapter 2, Title 32, of the Revised Civil Statutes of the State of Texas, 1895, defining the term 'resident' in reference to the power and duty of the commissioners court to provide for the support of paupers, and such idiots and lunatics as can not be admitted into the lunatic asylum, residents of their county, who are unable to support themselves."

House bill No. 514, A bill to be entitled "An Act to create a more efficient road system for Leon county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts on the public roads of said county; and providing for officers' fees and rewards and penalties for said convicts and rewards for the capture of escaped convicts, and to provide for the manner of training and maintaining hedges along the public roads; and to provide for the summoning of teams for road work and for allowance for time of road service for the same, and fixing a penalty for violation of this Act, and to repeal all laws in conflict herewith," with engrossed rider.

House bill No. 505, A bill to be entitled "An Act to incorporate the city of Abilene, Taylor county, Texas, defining its boundaries, and to grant it a special charter for its local government to define its powers; to prescribe its duties and liabilities; creating it an independent

school district; re-establishing the boundaries of the North Park Common School District in said county; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

House bill No. 495, A bill to be entitled "An Act to authorize and permit the territory situated within the town of Crosbyton, in the county of Crosby, and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Crosbyton Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency."

House bill No. 486, A bill to be entitled "An Act to amend an Act of the Special Laws of the Thirty-first Legislature, Section 11, Chapter 79, of Hamilton county road law, and declaring an emergency."

House bill No. 110, A bill to be entitled "An Act to provide for the joint investigation by the State of Texas and the Government of the United States of the water resources of the State of Texas, their utilization for the purpose of irrigation, and the making of appropriation for the expenses of such investigation."

House bill No. 73, A bill to be entitled "An Act to provide for the creation, establishment and maintenance of a special University fund; providing that a certain part of the ad valorem tax rate shall be levied, assessed and collected for said purpose; providing the said tax when collected shall be credited on the books of the State Treasurer to said Special University Fund; providing for estimates for the said fund and for reports as to collections thereof; providing and declaring the purpose of such fund and for the expenditure thereof, and declaring an emergency."

House bill No. 74, A bill to be entitled "An Act to provide for the removal of a married woman's disabilities of coverture, and to declare her feme sole for mercantile and trading purposes."

House bill No. 202, A bill to be entitled "An Act to amend Article 3232, Title 62, Chapter 12, of the Revised Civil Statutes, and declaring an emergency."

House bill No. 565, A bill to be entitled "An Act to incorporate the city of Sulphur Springs, Hopkins county, Texas, and grant it a new charter to provide for a commission form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city; to validate the Acts of said city as it now exists; to repeal all Acts and parts of Acts in conflict herewith, and to declare an emergency."

Senate bill No. 12, A bill to be entitled "An Act to provide for the suspension of sentence in certain cases of conviction of felony, for first offenses, upon recommendation of the jury and for the submission of the issue to the jury by the court; to provide for the duration of suspension of sentence, and for pronouncing sentence after suspension thereof in cases of final conviction of the defendant of any other felony, and for cumulating punishment in such cases, and providing an emergency," with amendments.

House Joint Resolution No. 17, A Joint Resolution proposing to amend Section 51, of Article 3, of the Constitution of the State of Texas, so as to authorize the grant of aid to the soldiers and sailors and their widows and to soldiers who served in the militia and in organizations for the protection of the frontier, and to grant aid for the establishment and maintenance of a home for the indigent and dependent wives and widows of Confederate soldiers and sailors and such women as aided the Confederacy, and authorize a special ad valorem pension tax, and making an appropriation for the same."

House bill No. 203, A bill to be entitled "An Act to amend Articles 1113 and 1115, Chapter 3, Title 15, of the Code of Criminal Procedure, and declaring an emergency."

Senate Concurrent Resolution No. 21, relating to the acceptance of the memorial tablet donated by the Society of Colonial Dames of America.

House Concurrent Resolution No. 31, authorizing the Superintendent of Public Buildings and Grounds to lease certain lots in the city of Austin.

House Concurrent Resolution No. 34, authorizing the erection of a monument to the memory and heroism of the women of the South.

House Concurrent Resolution No. 36, requesting the Governor to return House bill No. 2 to the House for correction.

Does not concur in Senate amendments to House bill No. 94, and requests the appointment of a Free Conference Committee. The following have been appointed on part of the House: Messrs. Hill, Lee Cureton, Buchanan and Robertson of Bell.

Concurs in Senate amendments to House bill No. 431 by the following vote: Yeas 105, nays 0.

Concurs in Senate amendments to House bill No. 207.

Concurs in Senate amendments to House bill No. 441 by the following vote: Yeas 100, nays 0.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### SIMPLE RESOLUTION.

By Senator Terrell of McLennan, by unanimous consent:

Whereas, Hon. Seth P. Mills, a former distinguished member of this body, is now at the door of the Senate; Therefore be it

Resolved, That he be invited to address the Senate and be accorded the privilege of the floor.

The resolution was read and adopted.

The Chair appointed Senators Terrell of McLennan, Ward and Mayfield to escort ex-Senator Mills to the President's stand. Senator Mills thanked the Senate for the courtesy extended him.

#### FREE CONFERENCE COMMITTEE.

By Senator Peeler:

I move that the Senate do not concur in House amendment to Senate bill No. 12, but that a Free Conference Committee composed of Senators Weinert, Terrell of Wise, Murray, Watson and Collins be elected by the Senate.

The above motion was read and adopted.

#### SECOND HOUSE MESSAGE.

Hall of the House of Representatives, Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 275, A bill to provide for the establishment and maintenance of a home for the indigent wives and widows of disabled Confederate soldiers and sailors who entered the Confederate service for Texas, or who came to Texas prior to January 1, 1880, and who are over sixty years of age, whose husband's disability is the proximate result of service in the Confederate Army for a period of at least three months, and also for women who aided in the Confederacy, to authorize the appointment of a Board of Managers for said home, and to prescribe their powers and duties, to make an appropriation for the purpose of establishing said home, and for its maintenance and support, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

#### SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, we learn with sorrow of the death of the father of the wife of our brother Senator Tom W. Perkins of Collin county, Elder J. B. Faulkner, a pioneer Christian minister of that section of Texas for a half century; and a Confederate soldier; therefore, be it

Resolved, That we extend to Senator Perkins and his family our sincere condolence, in this the death of their father; and the passing away of a good and true man and citizen.

HUDSPETH,

RATLIFF,

COFER,

M'NEALUS.

The above resolution was read and unanimously adopted by a rising vote.

#### SIMPLE RESOLUTION.

By Senator Vaughan:

Whereas, Senate bill No. 1, generally known as the Lightfoot bill, introduced by seventeen Senators, though it was the first bill introduced in the Senate, is far down the calender on account of the fact that the adverse committee to which it was referred, failed to report it for a long time, and

Whereas, Said bill is of general importance and a similar bill, House

bill No. 226, has passed the House, and

Whereas, The passage of such a bill is necessary that the Attorney General's Department of our State Government may not suffer on account of the political controversies, past and prospective, between the Governor and the Attorney General, and

Whereas, The opposition to said bill in the Senate have continually refused to suspend the regular order of business to take up said bill while at the same time frequently asking such suspension for their favorite measures; therefore, be it

Resolved, By the Senate, that a special rule to be known as Rule 61a, be adopted, as follows:

#### RULE 61A.

It shall only require a majority vote of all the Senators present to suspend pending business for the purpose of taking up and considering said Senate bill No. 1, and House bill No. 226, any other rule or order to the contrary notwithstanding.

VAUGHAN,  
COFER, et al

Senator Vaughan offered the following amendment to the resolution:

Amend the resolution by adding as follows: "This rule shall not be rescinded or changed except by a two-thirds vote of all the members present."

The resolution was read and

Senator Hudspeth made the point of order that in view of the resolution changing the rules of the Senate would have to lie over for one day.

The Chair overruled the point of order, and held that the resolution could be considered after the conclusion of the morning call.

#### BILLS AND RESOLUTIONS.

By Senator Hume.

Senate bill No. 343, A bill to be entitled "An Act establishing a State Bureau of Child and Animal Protection; prescribing the duties thereof, providing for annual reports, and making an appropriation."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Sturgeon (by request):

Senate bill No. 344, A bill to be entitled "An Act to incorporate the city of Amarillo, in Potter county, Texas, to define and establish its boundaries, to define and establish its authority and the authority of its officers, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Paulus:

Senate bill No. 345, A bill to be entitled "An Act creating an independent school district in the counties of Lavaca, Colorado, Wharton and Jackson, State of Texas, to be known as Provident City Independent School District, and to have all the powers, rights and duties of independent school districts; formed by the incorporation of towns and villages for free school purposes only, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McNealus:

Senate bill No. 346, A bill to be entitled "An Act creating the Garland Independent School District in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Garland in the county of Dallas and State of Texas, and other lands and territory adjacent thereto; providing for the election of a board of trustees to manage and control the public free schools within said district and for the continuance in office of certain trustees until said election; investing the said district with all the powers, rights and duties of independent school districts conferred by General Laws upon incorporations incorporated for free school purposes only, empowering the said district to take over all school money belonging to and all free school properties situated within said district, imposing upon it the discharge of the obligations of said territory for school purposes, prescribing limitations and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Murray, Mayfield and Astin:

Senate bill No. 347, A bill to be entitled "An Act to amend Chapter 126 of the Acts of the Regular Session of the Twenty-eighth Legisla-

ture, entitled 'An Act to provide for the protection of honey bees against foul brood and other contagious diseases, and providing that all beekeepers report to the State Entomologist when infectious diseases exist; providing for collecting the expense of eradicating the disease and fixing the charges upon the owner or agent of the bees; providing for the extermination of all contagious diseases; and providing penalties for the violation of any of the provisions of this Act.' "

Read first time and referred to Committee on Judiciary No. 2.

By Senator Murray:

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of the fish and oysters within tide water limits along the Gulf coast of this State from the most interior point of tide water seaward co-extenside with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells, that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays, and the shells, marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of said shells, marl and sand, shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Astin:

Senate bill No. 349, A bill to be entitled "An Act to amend Section

1, of Chapter 43, Special Laws of the Twenty-ninth Legislature, as amended by Chapter 68 of the Special Laws of the Thirtieth Legislature, same being an Act to create a more efficient road system for Robertson county, Texas, and providing for the levy of a special tax for road and bridge purposes, and for the proration and distribution of the money collected by virtue of such tax, and for the bonding of the valid outstanding registered indebtedness against the road and bridge fund of said county, and providing for the pay of the county commissioners of said county, when performing the duties imposed upon them as road commissioners, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Mayfield:

Senate bill No. 350, A bill to be entitled "An Act defining the offense of "hazing," providing a penalty for the same, and declaring an emergency."

Read first time and referred to Committee on Judiciary No. 2.

By Senator Ward:

Senate bill No. 351, A bill to be entitled "An Act to prevent hazing, to define the offense of hazing and prescribing a penalty, and declaring an emergency."

Read first time and referred to Committee on Judiciary No. 2.

By Senator Willacy:

Senate bill No. 352, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1908; August 31, 1909; August 31, 1910, and August 31, 1911, being for claims registered in the Comptroller's office in accordance with law and for outstanding claims not registered, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Cofer:

Senate bill No. 353, A bill to be entitled "An Act to define and prevent the practice of hazing in the University of Texas, the Agricultural and Mechanical College, and the State Normal Schools, requiring male students entering such educational

institutions upon matriculation to declare they will not engage in such practice of hazing and a declaration to be made under oath or affirmation by students before the issuance and delivery of certificates of proficiency or diplomas, and declaring an emergency."

Read first time and referred to Committee on Judiciary No. 1.

#### SENATE BILL NO. 275.

Senator Meachum called up

Senate bill No. 275, A bill to be entitled "An Act to provide for the establishment and maintenance of a home for the indigent wives and widows of disabled Confederate soldiers and sailors who entered the Confederate service of Texas, or who came to Texas prior to January 1, 1880, and who are over sixty years of age, whose husband's disability is the proximate result of service in the Confederate Army for a period of at least three months, and also for women who aided in the Confederacy, to authorize the appointment of a Board of Managers for said home, and prescribe their powers and duties, to make an appropriation for the purpose of establishing said home, and for its maintenance and support, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 275, by striking out engrossed rider.

Amend Senate bill No. 275 by striking out the word "fifteen" in line 29, page 3, and insert in lieu thereof the word "twelve."

On motion of Senator Meachum, the House amendment was concurred in by the following vote:

Yeas—27.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	

Absent.

Johnson.	Terrell, McLennan.
Real.	Willacy.

#### FREE CONFERENCE COMMITTEE REPORT.

By Senator Bryan:

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred Senate bill No. 31, "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed, or are about to fail to construct their roads and branches, or any part thereof, within the time required by law, with emergency,"

Have had the same under consideration, and beg to leave to report that for the purpose of adjusting difference between the Senate and House, recommend that Sections 1 and 2 of the Senate as amended be stricken out and the following to be substituted in lieu of Sections 1 and 2 of the original bill.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the time in which any railway corporation chartered under the laws of the State of Texas since the first day of January, 1892, or the charter of which has been amended since that date, is required to begin construction of its road, and construct, equip and put in good running order, as required in Article 4558 of the Revised Statutes of the State of Texas of 1895, and the same hereby is, as to any unfinished portion of such road, extended two years from the taking effect of this Act; and any railway company having been chartered since January 1, 1892, or the charter to which has been amended since said date, which shall have forfeited its corporate existence or any of the rights and powers, or is about to do so, by reason of the failure to comply with said Article 4558, or any part of said Article shall have restored and preserved to it, its corporate existence, and it shall have and enjoy of the corporate franchises, property rights and powers held or acquired by it previous to any cause of forfeiture as aforesaid; provided, that no railway company which shall be revived or the time extended by virtue of this Act, shall claim or exercise any right or franchise not allowed, granted or per-



mitted to other railway corporations under the law as now in force in this State.

Sec. 2. Any railway corporation chartered since the first day of January, A. D. 1892, and which by its original charter or by amendments thereto filed since said first day of January, A. D. 1892, has further provided for the locating, constructing, maintaining, owning and operating of any extension or branch line or lines of railway, and which has failed or is about to fail to complete the same or any part thereof within the time required by law, shall, upon the payment of all its franchise tax, be and hereby restored to and granted all singular, the rights, privileges and franchises acquired by such original charter or by such amendment to its articles of incorporation, as if the same were filed and recorded in the office of the Secretary of State on the day of taking effect of this Act and such corporation shall, upon the payment of its franchise tax be and is hereby authorized to project, complete, construct, own and operate any such extension and branch line or lines of railway under and as provided for in its charter or in any such amendment to its articles of incorporation; provided, that such extension and branch line of railway shall be by such corporation, completed and put in good running order at the rate of at least ten miles in one year from the taking effect of this Act, and twenty additional miles for each and every year thereafter until all of the branch line or lines of extensions as provided for are completed; provided, that the provisions of this Act shall not apply to any corporation which has less than twenty miles of railroad to build in order to complete its line of railroad, as contemplated by its original charter, or any amendments thereto, or any terms thereof, which shall fail to construct and put in operation at least twenty miles of the line of railroad as contemplated by its charter or any amendment thereto within twelve months from and after the passage of this Act, or as much less mileage as may be necessary to complete and put in operation its line of road as called for by its charter or any amendment thereto; provided, that the provisions of this Act shall not apply to any line of railroad operated by any railroad

company within this State which has heretofore been consolidated with the line or railroad of any other company or companies within this State, and which consolidated railroad or railroads have not complied with the terms of the Acts of the Legislature authorizing such consolidations.

HUDSPETH,  
RATLIFF,  
TOWNSEND,  
WARREN,  
BRYAN,  
On the part of the Senate.  
TURNER,  
ELLIOTT,  
ROBERTSON of Bell,  
CURETON,  
WILLIAMS of McLennan,  
On the part of the House.

The above Free Conference Committee report was read and adopted by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Present—Not Voting.

Greer.

Absent.

Johnson. Terrell, McLennan  
Real.

#### FREE CONFERENCE COMMITTEE.

Senator Hume offered the following motion, which was read and adopted:

(1)

I move that the Senate reconsider its action "in reconsidering the vote by which the House amendments to Senate bill No. 163 were concurred in and laying that motion on the table."

Senator Hume offered the following motion which was read and adopted.

(2)

I move that the Senate rescind its action in concurring in House amendments to Senate bill 163.

Senator Hume offered the following motion which was read and adopted:

(3)

I move that the Senate do not concur in House amendments to Senate bill No. 163, and request the appointment of a Free Conference Committee, the following to be elected on said committee on the part of the Senate

Murray, Cofer, Hume, Carter and Watson.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred after his captions had been read, the following House bills:

House bill No. 495, referred to Committee on Educational Affairs.

House bill No. 486, referred to Committee on Roads, Bridges and Ferries.

House bill No. 110, referred to Committee on Mining and Irrigation.

House bill No. 73, referred to Committee on Finance.

House bill No. 74, referred to Committee on Judiciary No. 1.

House bill No. 202, referred to Committee on Judiciary No. 1.

House bill No. 476, referred to Committee on Educational Affairs.

House bill No. 343, referred to Committee on Judiciary No. 1.

House bill No. 373, referred to Committee on Roads, Bridges and Ferries.

House bill No. 498, referred to Committee on Insurance, Statistics and History.

House bill No. 247, referred to Committee on Roads, Bridges and Ferries.

House bill No. 496, referred to Committee on Educational Affairs.

House bill No. 203, referred to Committee on Judiciary No. 2.

House bill No. 260, referred to Committee on Stocks and Stock Raising.

House bill No. 488, referred to Committee on Educational Affairs.

House bill No. 514, referred to Committee on Roads, Bridges and Ferries.

House bill No. 329, referred to Committee on Judiciary No. 2.

House bill No. 565, referred to Committee on Towns and City Corporations.

House bill No. 490, referred to Committee on Towns and City Corporations.

House bill No. 505, referred to Committee on Towns and City Corporations.

House Joint Resolution No. 17, referred to Committee on Constitutional amendments.

House bill No. 445, referred to Committee on Towns and City Corporations.

House bill No. 226, referred to Committee on Finance, by the Chair, and

Senator Vaughan offered the following motion in writing:

I move that House bill No. 226, be referred to the Committee on Constitutional Amendments.

Senator Hudspeth moved to table the motion, and

Senator Hudspeth offered to withdraw the motion to table, but there was objection.

The motion to table was lost by the following vote

Yeas—12.

Adams.  
Astin.  
Hudspeth.  
Hume.  
Kauffman.  
Murray.

Paulus.  
Peeler.  
Terrell, McLennan.  
Watson.  
Weinert.  
Willacy.

Nays—15.

Bryan.  
Carter.  
Cofer.  
Greer.  
Lattimore.  
Mayfield.  
McNealus.  
Perkins.

Ratliff.  
Sturgeon.  
Terrell, Wise.  
Townsend.  
Vaughan.  
Ward.  
Warren.

PAIRED.

Senator Meachum (present), who would vote "yea" with Senator Johnson (absent), who would vote "nay."

Senator Collins (present), who would vote "nay" with Senator Real (absent), who would vote "yea."

Action recurred on the motion by Senator Vaughan, and Senator Vaughan moved to previous question on the motion, the same being duly seconded, was ordered by the following vote:

## Yeas—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Perkins.	

## Nays—12.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.

## PAIRED.

Senator Collins (present), who would vote "yea" with Senator Real (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay" with Senator Johnson (absent), who would vote "yea."

Action then recurred on the motion, and the same was adopted by the following vote:

## Yeas—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Perkins.	

## Nays—11.

Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.
Paulus.	

## Present—Not Voting.

Adams.

## PAIRED.

Senator Collins (present), who would vote "yea" with Senator Real (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay" with Senator Johnson (absent), who would vote "yea."

The bill was accordingly referred

to Committee on Constitutional Amendments.

House Concurrent Resolution No. 31, referred to Committee on Public Lands and Land Office.

House Concurrent Resolution No. 34, referred to Committee on Public Buildings and Grounds.

## HOUSE CONCURRENT RESOLUTION NO. 36.

The Chair laid before the Senate, House Concurrent Resolution No. 36, requesting the Governor to return House bill No. 2, for correction.

The resolution was read and adopted.

Morning call concluded.

## SIMPLE RESOLUTION.

Action recurred on the simple resolution by Senator Vaughan, introduced before the morning call was concluded, the question being on the amendment by Senator Vaughan and the same was adopted.

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the resolution by adding after the word "referred," the following: "The same however being the proper committee to which said bill should have been referred."

The resolution was then adopted, as amended, by the following vote:

## Yeas—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Perkins.	

## Nays—12.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.

## PAIRED.

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

#### SIMPLE RESOLUTION.

By Senator Mayfield, by unanimous consent:

Whereas, We learn from the press of this morning, that one of the Freshman students of the State University, in order to protect himself from being "hazed" shot and mortally wounded a fellow student of said institution, and

Whereas, Our great University should set an example to other schools as being an institution which shapes the character of men into ideal manhood, and polishes them into ideal citizens, and

Whereas, in order for each student that enters said University to be guaranteed protection and safeguards that will secure to him life, liberty, and the peaceful pursuance of his studies without the inhumane and barbarous practice of "hazing," and

Whereas, The State of Texas, owns said University and maintains it as the University to which all young men of this State are entitled to come and have that protection thrown around them that will enable them to pursue their studies in a quiet and peaceful manner, therefore,

Be it Resolved, by the Senate of the State of Texas, That we deplore the sad occurrence of yesterday, when one of the Freshmen shot and mortally wounded a fellow Senior student, and we call upon the Board of Regents and the faculty of said University of Texas and those in charge of all other State educational institutions and urge them to put a stop to all "hazing" and like "brutal practices" for the good of said University and other institutions, and for the protection of the peace, harmony and person of said students, to the end that we may have no more days of such fighting and shooting as occurred on yesterday and last evening.

MAYFIELD,  
TERRELL of Wise.

The resolution was read, and Senator Hudspeth offered an amendment, but later withdrew same.

#### FREE CONFERENCE COMMITTEE.

Be it Resolved, That the request of the House for a Free Conference Committee on House bill No. 401 be granted, and that Senators Kauffman, Watson, Ratliff, Collins and Astin be appointed on the part of the Senate.

The above motion was adopted.

#### THIRD HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants request of the Senate for a Free Conference Committee on Senate bill No. 12, and has appointed the following on part of the House: Messrs. Donegan, Williams of Dallas, Lee, Stamps and Bagby.

Respectfully,

O. P. BASFORD,

Acting Chief Clerk, House of Representatives.

#### SENATE BILL NO. 274.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 274, A bill to be entitled "An Act to amend Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-first Legislature (1909), at its Regular Session, approved April 21, 1909, relating to the Texas State Board of Health and Vital Statistics, and to repeal Section 11 of said chapter; providing a penalty for violation of this Act, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bill to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.  
Astin.  
Bryan.  
Carter.  
Cofer.

Collins.  
Hudspeth.  
Hume.  
Kauffman.  
Lattimore.

Mayfield.	Terrell, McLennan.
McNealus.	Townsend.
Meachum.	Vaughan.
Murray.	Ward.
Paulus.	Warren.
Peeler.	Watson.
Perkins.	Weinert.
Sturgeon.	Willacy.

## Absent.

Greer.	Real.
Johnson.	Terrell, Wise.
Ratliff.	

The bill was read third time, and passed by the following vote:

## Yeas—24.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.

## Present—Not Voting.

Hume.

## Absent.

Greer.	Murray.
Johnson.	Ratliff.
McNealus.	Real.

Senator Lattimore moved to reconsider the vote which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

On motion of Senator Weinert, the Senate recessed until 3 o'clock today.

## AFTER RECESS.

The Senate was called to order by President Pro Tem. Hudspeth.

## PENDING BUSINESS—SIMPLE RESOLUTION.

Action recurred on the pending

simple resolution and the amendment thereto.

Senator Watson, by unanimous consent, withdrew the amendment, and offered the following amendment:

Amend the resolution by adding at end of the same the following:

"And that a committee of five Senators be appointed by the President of this Senate, who are directed and required to make diligent inquiry into the matter of hazing practiced at the University of Texas, and to ascertain where and upon whom rest the blame for permitting the said barbarous practice and to make report of the present session of this Legislature;

And for the purposes aforesaid, the said committee or any member thereof is hereby empowered to summon and swear witnesses and to use all such means as it may deem proper to ascertain the full facts connected with this pernicious, ob-  
solute and barbarous practice.

WATSON,  
HUDSPETH.

Senator Lattimore offered a substitute for the amendment, but was held out of order on a point of order raised by Senator Terrell of Wise.

(Lieutenant Governor Davidson in the chair.)

## FOURTH HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 80, A bill to be entitled "An Act to amend Section 6d of Chapter 20, passed by the Regular Session of the Thirtieth Legislature and approved May 16, 1907; relating to transfers by purchase of public free school, University and asylum lands, and declaring an emergency," with amendments.

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to receive the benefits of the United States Reclamation Act, by declaring that water users' associations organized under the authority of such Act, and the regulation of the Department of the

Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency."

Senate bill No. 191, A bill to be entitled "An Act to authorize the Texas Traction Company, a corporation to purchase the Denison & Sherman Railway Company, a corporation, and to acquire, own, maintain and operate the properties now owned by the said Denison & Sherman Railway Company, including its lines of railway in the cities of Denison and Sherman, Grayson county, Texas, as well as its inter-urban railway connecting said cities, together with all franchises and rights possessed, owned and enjoyed by it, the Denison & Sherman Railway Company, and authorizing the said Denison & Sherman Railway Company, in case of said sale and purchase, to convey, assign and deliver its properties, franchise and rights to the Texas Traction Company, to be owned and operated under its charter as part of its capital stock into second mortgage bonds, and to authorize the Denison & Sherman Railway Company to execute a new mortgage to take up the outstanding mortgage for \$50,000.00, and to authorize the Texas Traction Company to mortgage the property so acquired, all to be subjected to existing mortgages and liens."

House bill No. 480, A bill to be entitled "An Act to create a more efficient road system for Houston County, and declaring an emergency," with engrossed rider.

House bill No. 44, A bill to be entitled "An Act to increase the civil jurisdiction of the County Court of Deaf Smith and Palmer counties, and declaring an emergency," with engrossed rider.

Senate bill No. 15, A bill to be entitled "An Act to regulate the employment of children in mills, workshops, mercantile, mechanical or manufacturing establishments, stores, business office, telegraph offices, restaurants, hotels, apartment houses, mines, quarries, distilleries, breweries and any establishment using machinery, in the distribution or transmission of merchandise or messages, and to provide penalties for the violation of the same."

Senate bill No. 40, A bill to be entitled "An Act to amend Chapter 4, Acts of the Twenty-eighth Legislature, First Called Session, entitled 'An Act to amend Article 877, Chapter 2, Title 25, Revised Statutes of the State of

Texas of 1895,' authorizing the commissioners courts of the counties of this State to issue bonds for the purpose of improving and maintaining the public roads in their respective counties, so that Article 877 shall authorize and empower the commissioners court of any county in the State to issue bonds for the establishment of county poor houses and farms, and creating an emergency."

Grants the request of the Senate for a Free Conference Committee on Senate bill No. 163. The following has been appointed on part of the House: Messrs. Standifer, Campbell, Hill, Leach and Nichols of Hunt.

Respectfully,

**BOB BARKER,**

Chief Clerk, House of Representatives.

#### SENATE BILL NO. 15—HOUSE AMENDMENTS CONCUR- RED IN.

Senator McNealus called up

Senate bill No. 15, A bill to be entitled "An Act to regulate the employment of children in mills, workshops, mercantile, mechanical or manufacturing establishments, stores, business offices, telegraph offices, houses, mines, quarries, distilleries, breweries and any establishment using machinery, and in the distribution or transmission of merchandise or messages, and to provide penalties for the violation of the same," with the following House amendments:

House amendments to Senate bill No. 15:

Amend the bill by adding Section 1a, as follows:

Section 1a. Such person, firm or corporation or any agent thereof shall give free access at all times to the Commissioner of Labor Statistics of the State of Texas, and his deputies for the inspection of their premises and of the methods employed, to insure compliance with the provisions of the foregoing section.

Amend the bill by adding Section 2a, as follows:

Section 2a. Such person, firm or corporation, or any agent thereof, shall give free access at all times to the Commissioner of Labor Statistics of the State of Texas, and his deputies for the inspection of their premises and of the methods employed, to insure compliance with the provisions of the foregoing section.

On motion of Senator McNealus, the above amendments were concurred in by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume.	Real.
Johnson.	

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 236, A bill to be entitled "An Act to create a more efficient road system for Wood county, Texas, and making the county commissioners of said county ex officio road commissions; prescribing their compensation as such road commissioners, and providing for working county convicts upon public roads of said county and for the payment of the fees of officers and witnesses in such cases and providing for the amount of time to be allowed road hands for their teams, and providing for the payment of \$3.50 in lieu of road service; abolishing the road overseer system in Wood county; making road hands subject to the control of the road commissioners and road superintendents of Wood county, and making road hands subject to road service anywhere in the commissioners precinct in which they reside, but not exceeding five miles from their place of residence; and providing further, making this law cumulative of the general road laws, and in case of a conflict this Act to govern as to Wood county; repeal-

ing Chapter 11 of the Special Laws of the Second Called Session of the Thirty-first Legislature of Texas; and declaring an emergency."

Grants the request of the Senate for a Free Conference Committee on Senate bill No. 43. The following has been appointed on part of the House: Messrs. Minton, Rucks, Davis, Broughton and Hamilton of Childress.

Simple resolution requesting the Senate to return Senate bill No. 176 to the House for correction.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE.

By Senator Watson:

I move that the Senate grant the request of the House for a Free Conference Committee on House bill No. 94, and that the following be elected on the part of the Senate: Ward, Murray, Ratliff, Meachum and Peeler.

The above was read, and Senator Willacy offered the following, which was read:

To the President and Members of the Senate:

Upon March 1st the Senate, in the generosity of those who constitute our honorable body, conferred upon their colleague, the member from Nueces, the high compliment of naming a county after his name and in his honor.

No man can say that such an honor is valueless but to me its greatest value is found in the sentiment of esteem that prompted it. This will remain with me always and until the final shadow have fallen around the horizon of my life. It is enough to feel that those with whom we labor esteem us even though we differ upon questions of public policy.

Indeed this is the true monument and the one I most desire to be perpetuated, for, while it may not be written upon the map of Texas, it is engraven upon a human heart in no uncertain characters and remain as long as life shall be permitted me.

But, Mr. President and Senators, I wish to respect the wish of the House of Representatives, which first named the new county of "Brooks," and second: I would not take from one of the members of the House the proof of esteem conferred upon him by his

colleagues which, no doubt, he has justly earned.

Therefore, I respectfully request that the Senate, through its Conference Committee, recede from its action in striking out the name of "Brooks" in House bill No. 94, and inserting the name "Willacy."

Let me repeat, Mr. President and Senators, your generous proof of esteem is of far greater value to me than any inscription upon the map of Texas could possibly be. Of this you have given me full proof and with it I am highly honored, and content to treasure it in my heart.

Senator Hudspeth moved that the Free Conference Committee be instructed to adhere to the Senate amendment.

The motion prevailed.

The motion to adopt the motion for a Free Conference Committee was then adopted.

#### PENDING BUSINESS—SIMPLE RESOLUTION.

Action recurred on the pending business, the simple resolution anent the hazing matter, the question being on the amendment to the resolution.

#### SIXTH HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 199, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal School to be located in the city of Waco, in McLennan county, and to be known and designated as the Central Texas Normal School," with amendments.

Senate bill No. 85, A bill to be entitled "An Act authorizing ice companies to buy, sell and refrigerate poultry products, and buy, sell, can and refrigerate fruits, produce, fresh meats and dairy products, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### SENATE BILL NO. 199—HOUSE AMENDMENTS CONCURRED IN.

Senator Terrell of McLennan called up

Senate bill No. 199, A bill to be entitled, "An Act to provide for the establishment, maintenance and government of a State normal school to be located in the city of Waco, in McLennan county, and to be known and designated as the Central Texas Normal School," with the following House amendments:

Amend caption of Senate bill No. 199 by adding the word "Texas" after the word "county" in line 18.

Amend Senate bill No. 199, Section 1, page 1, line 24, by striking out the words "ninety days" and inserting the words "six months" in lieu thereof.

Amend Senate bill No. 199, page 1, Section 1, line 29, by striking out the words "one hundred and ten thousand (\$110,000) dollars" and insert in lieu thereof "one hundred thousand (\$100,000) dollars."

On motion of Senator Terrell of McLennan, the above House amendments were concurred in by the following vote:

Yeas—27.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Greer.	Johnson.
Hume.	Real.

#### FREE CONFERENCE COMMITTEE REPORT.

By Senator Weinert:

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate; Hon. Sam Rayburn, Speaker of the House of Representatives.

Sir: We, your Free Conference Committee, appointed by the Senate and the House on Senate bill No. 12, by Weinert, being "An Act to provide for the suspension of sentence in certain cases of conviction of fel-



ony, for first offenses, upon recommendation of the jury, and for the submission of the issue to the jury by the Court; to provide the duration of suspension of sentence, and pronouncing sentence after suspension, and thereof in case of final conviction of the defendant of any other felony, and for cumulating punishment in such cases and providing an emergency."

Beg to report that we have had the same under consideration and recommend that the Senate concur in the amendment adopted by the House, to-wit:

Amend Section 1, line 27, by striking out the word "manslaughter" in said line.

Your Committee recommend that the bill, with the following amendments, be adopted and passed:

(1.)

Amend the caption of the engrossed bill No. 12 by inserting in line 13, after the word "felony" the words "or misdemeanor involving moral turpitude."

(2.)

Amend the bill by adding to Section 7 at the end of said section the following: "Except in such cases where the defendant has again been indicted for a felony, and in such event such prior conviction may be shown in case the defendant invokes the benefit of this Act."

(3.)

Amend Section 5, line 16, page 3, of the engrossed bill by adding after the word "misdemeanor" the following: "that involves moral turpitude."

(4.)

Amend Section 5, line 17, page 3, by striking out the word "judge" and insert the word "court" in lieu thereof.

(5.)

Amend Section 6 of the engrossed bill, line 26, after the word "sentence," by striking out the words, "the court shall cause a capias to issue for the arrest of the defendant" and insert the following, "the court shall cause proper process to

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issue for the arrest of the defendant."

WEINERT,  
MURRAY,  
COLLINS,  
WATSON,  
TERRELL of Wise,  
On the part of the Senate.  
DONEGAN,  
LEE,  
STAMPS,  
BAGBY,  
WILLIAMS of Dallas,  
On the part of the House.

The above report was read and adopted.

Senator Weinert moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills:

House bill No. 480, referred to Committee on Roads, Bridges and Ferries.

House bill No. 44, referred to Committee on Judicial Districts.

#### SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 220, A bill to be entitled "An Act to amend an Act of the Thirty-first Legislature, passed at the Regular Session, being Chapter 23, and an Act of the Thirty-first Legislature at its Regular Session, being Chapter 80, and entitled 'An Act to amend Section 61 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled An Act to promote agriculture and stock raising and to prohibit the hunting with firearms and dogs upon the enclosed lands of another in all counties within this State, not specifically named as exempt from the provisions of this Act, as amended by the Twenty-sixth Legislature and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penal-

ties and with an emergency clause relating to agriculture and stock raising, so as to place Atascosa, Caldwell, Coke, Coryell, Hamilton, Mills, San Saba and Walker counties under the operation of such law, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

**SENATE BILL NO. 220—HOUSE AMENDMENTS CONCURRED IN.**

Senator Adams called up

Senate bill No. 220, A bill to be entitled "An Act to amend the Act of the Thirty-first Legislature, passed at the Regular Session, being Chapter 23; and an Act of the Thirty-first Legislature, passed at its Regular Session, being Chapter 80, and entitled 'An Act to amend Section 61 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled An Act to promote agriculture and stock raising and to prohibit the hunting with firearms and dogs upon the enclosed lands of another in all counties within this State, not epecially named as exempt from the provisions of this Act, as amended by the Twenty-sixth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penalties and with an emergency clause relating to agriculture and stock raising, so as to place Atascosa, Caldwell, Coke, Coryell, Hamilton, Mills, San Saba and Walker counties under the operation of such law, and declaring an emergency.'" with the following House amendments:

Amend Senate bill No. 220, by inserting between the words "Mills" and "San Saba" wherever they occur in said bill, the word "McCulloch."

Amend by striking out "Polk and San Jacinto" in Section 6 and wherever they occur.

Amend Senate bill No. 220, line 25, by inserting after the word "hereby" the following: "amended so as."

Amend Senate bill No. 220 by striking out Hardin county in Section 6, line 31.

The amendments were read and on motion of Senator Adams the Senate concurred in same by the following vote:

Yeas—28.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Willacy.

Absent.

Johnson.	Weinert.
Real.	

**EIGHTH HOUSE MESSAGE.**

Hall of the House of Representatives.

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate Committee Substitute bill No. 230, A bill to be entitled "An Act to authorize the sale of portions of Harbor Island and other islands in the Red Fish Bay, Corpus Christi Bay and Aransas Bay, and certain lands under the shallow waters of Red Fish Bay, Corpus Christi Bay and Aransas Bay with certain restrictions; to authorize the building of railroads, terminal railroads, suburban railroads or interurban railroad from any point on the main land to Aransas Harbor and to provide for the purchase by any such railroads, or by any channel and dock company or by any municipality which is now or may hereafter be connected with Aransas Harbor by a navigable channel dredged by the United States Government, and which has the right under its charter to construct, operate and maintain wharves and docks, of certain lands on Harbor Island; to provide for the conditions and terms of such purpose and for the issuance of patents therefor; to define the rights of channel and dock companies, which have heretofore or may hereafter dredge channels from the mainland to Aransas Harbor; prohibiting the consolidation of ownership of any of the lands or frontage herein authorized to be sold, and providing for the forfeiture of any such land or frontage ac-

quired under this Act, should any consolidation be entered into; to authorize the dredging of slips, the erection of docks, piers, dry docks, ship yards, sheds, railroads, railroad tracks, approaches, terminals, sidings, depots, warehouses and all necessary appurtenances thereto, and to provide for the disposition of such funds arising from such sales; providing for the release and quit claim into the State of Texas of all right, title and interest held or claimed by any channel and dock company, interurban railroad company, or suburban railroad company to any land or frontage on Harbor Island, or Aransas Harbor, before purchasing under this Act, except the land and frontage acquired under the provisions of this Act, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### NINTH HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 332, A bill to be entitled "An Act to amend Section 26 of a special Act passed at the Regular Session of the Thirtieth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Tyler, in Smith county, Texas, and to define its boundaries and provide for its government and management of its affairs,' approved April 18, 1907, amending said Section 26 so as to provide that the aggregate amount of bonds issued by said city for all purposes authorized by law, including the bonded indebtedness of said city, existing prior to the passage of this Act, shall at no time exceed the sum of \$200,000.00, and the sum of \$50,000.00 additional, such additional sum of \$50,000.00 to be issued only for the purpose of erecting or repairing public free school buildings of said city, and in other respects reenacting Section 26, providing for the government of said city and management of its affairs, authorizing the city council of said city to borrow money on credit of the city and to issue bonds therefor and provide for the payment; prescribing the rate of interest on such bonds and for the investments of the sinking funds of

the bonds of said city, for funding of the indebtedness of said city, and prescribing the powers of the city council of said city. Whereas, due notice has been given and published by the city of Tyler, Texas, of its intention to apply to the Legislature for the enactment of this Act, in compliance with Section 57 of Article 3 of the Constitution of this State and the laws of this State, therefore."

Also adopted the report of the Free Conference Committee on Senate bill No. 12.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### PENDING BUSINESS — SIMPLE RESOLUTION.

Action recurred on the pending resolution and amendment thereto.

Senator Meachum offered the following substitute for the amendment and resolution:

#### Substitute Resolution.

Resolved by the Senate of Texas, that we deeply deplore the sad occurrence on last night in which a student of the University was shot by another student, and we have now declare ourselves unalterably opposed to the practice of hazing in any educational institution of this State, and, offering to the friends and families of the interested parties our heart-felt sympathy and condolence, we hereby tender to the Board of Regents of said institution, members of the Faculty, and student body generally, any assistance within our power to prevent any disorderly practices in our State University, and hereby assert our willingness to enact such laws as will secure order and decorum in that institution; and we hereby request especially the student body of the University, composed, as we believe, of honorable and patriotic young Texans, to rise in their manhood and stamp out any disorderly practices which would tend to bring in disrepute the great State University, founded by our forefathers for the benefit of the people of Texas, and which is now rapidly taking its place as one of the greatest universities among the nations of the earth.

Meachum, Ratliff, Collins, Lattimore, Astin, Adams, Hume, Cofer.

Senator Vaughan moved the previous question on the substitute, the

amendment and the resolution, which was seconded.

Senator Hudspeth called for a division of the question.

The Senate refused to order the previous question.

Senator Mayfield moved to table the substitute, which motion prevailed, by the following vote:

Yeas—15.

Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Warren.
Mayfield.	Watson.
Murray.	Willacy.
Paulus.	

Nays—11.

Adams.	Peeler.
Astin.	Perkins.
Cofer.	Ratliff.
Collins.	Vaughan.
Lattimore.	Ward.
Meachum.	

Present—Not Voting.

McNealus.

Absent.

Hume.	Real.
Johnson.	Weinert.

Action then recurred on the amendment to the resolution, and the same was adopted by the following vote:

Yeas—16.

Bryan.	Perkins.
Carter.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Mayfield.	Ward.
Murray.	Watson.
Paulus.	Willacy.

Nays—10.

Adams.	Meachum.
Astin.	Peeler.
Cofer.	Ratliff.
Collins.	Vaughan.
Lattimore.	Warren.

Present—Not Voting.

McNealus.

Absent.

Hume.	Real.
Johnson.	Weinert.

The resolution, as amended, was then adopted by the following vote:

Yeas—15.

Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Ward.
Kauffman.	Warren.
Mayfield.	Watson.
Murray.	Willacy.
Paulus.	

Nays—10.

Adams.	Lattimore.
Astin.	Meachum.
Cofer.	Ratliff.
Collins.	Townsend.
Hume.	Vaughan.

Present—Not Voting.

McNealus.	Perkins.
Peeler.	

Absent.

Johnson.	Weinert.
Real.	

In accordance with the above resolution, the Chair appointed Senators Hudspeth, Watson, Terrell of Wise, Mayfield and Carter as the committee provided for.

#### REASONS FOR VOTING.

The deplorable tragedy at the University calls for the severest condemnation of the practice of hazing in our educational institutions and I desire to record myself as against this vicious and barbarous custom. However, it is no time to investigate. We know now as fully as an investigation can disclose the facts of this deplorable affair. The practice must be stopped by law. I favor this and not an investigation.

Therefore I vote against the investigation and shall propose a law to do away with hazing.

COFER.

#### TENTH HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following bill:

Senate bill No. 26, A bill to be entitled "An Act to provide additional compensation to all judges of district courts, district attorneys of the State of Texas, and to judges of the criminal district court of Harris and Galveston counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

Respectfully,  
BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 98.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 98, A bill to be entitled "An Act to prohibit any corporation, individual, partnership, contractor, superintendent, foreman, engineer or other person having the supervision of any work being by or for the State of Texas, or any subdivision thereof, or any municipality therein, from requiring any person, other than persons employed as watchmen engaged in such work to remain on duty more than eight hours in any consecutive twenty-four hours, except in certain cases of emergency, and excepting further, those engaged in the performance of some official duty, State and county convicts and providing a penalty for the violation of the law."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to third reading.

#### RECESS.

On motion of Senator Peeler, the Senate at 6:30 o'clock p. m., recessed until 8:30 o'clock tonight.

#### AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

#### SENATE BILL NO. 209.

(District No. 8.)

The Chair laid before the Senate on second reading Senate bill No. 209, and Senator Watson made the point of order that there was no pending business left over from the last "Night Session" in view of the pending point of order on the bill, at the time the Senate adjourned, and that the Senator from the Eighth District only had a right to make a motion to suspend the pending business to take up a bill.

Pending discussion President Pro Tem. Hudspeth was called to the Chair, he being the presiding officer at the time this bill was voted on.

The Chair overruled the point of order.

The Chair then laid before the Senate on second reading, Senate bill No. 209, A bill to be entitled "An Act to amend Chapter 116, General Laws of the State of Texas, passed by the Thirtieth Legislature at its Regular Session, approved April 16, 1907, 'An Act to prohibit the selling, giving or delivery of any spirituous, vinous or intoxicating liquors to any person under the age of twenty-one years without the written consent of the parent or guardian of such minor or some one standing in their place or stead, and to prohibit the causing of or being interested in any such sale, gift or delivery, and to prohibit the agents of any express company or common carrier from knowingly making such sale, gift or delivery or causing the same to be done or being interested therein, and providing penalties therefor,' and declaring an emergency."

There being a favorable majority committee report and an adverse minority committee report,

Senator Carter moved to adopt the majority committee report.

Senator Watson moved, as a substitute, to adopt the minority committee report.

The substitute motion was lost by the following vote:

Yeas—8.

Hudspeth.  
Hume.  
Kauffman.  
Murray.

Paulus.  
Peeler.  
Watson.  
Weinert.

## Nays—19.

Astin.	Ratliff.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Willacy.
Perkins.	

Absent.

Adams. Johnson.

## PAIRED.

Senator Collins (present), who would vote "nay," with Senator Real (absent), who would vote "aye."

The majority (favorable) committee report was then adopted.

Senator Weinert offered the following amendment:

Amend the bill by adding line 31 after the word "years" the following:

"Provided, that the giving or delivery of spirituous, vinous or malt liquors to any minor at a private residence, where such minor visits, with the consent or knowledge of those who are legally in charge of him, when such spirituous, vinous or malt liquor is drunk at such private residence or family gathering shall not be considered an offense under this act."

Senator Carter moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Greer.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Vaughan.
Meachum.	Warren.
Perkins.	

## Nays—9.

Astin.	Peeler.
Hudspeth.	Watson.
Hume.	Weinert.
Kauffman.	Willacy.
Murray.	

Absent.

Johnson. Ward.  
Paulus.

## PAIRED.

Senator Collins (present), who would vote "aye," with Senator Real (absent), who would vote "nay."

Senator Cofer (present), who would vote "aye," with Senator Adams (absent), who would vote "nay."

Senator Watson offered the following amendment:

Amend the bill, page 1, by adding after the word "stead," in line 29, the following: "or any person under the age of 21 years who shall knowingly receive or accept or in any way be the recipient of any spirituous, vinous or intoxicating liquors."

Senator Meachum offered the following amendment to the amendment:

Amend the amendment by adding after the words "under 21 years of age" the words and "over seventeen years of age."

Senator Lattimore moved to table the amendment to the amendment, which motion to table prevailed by the following vote.

## Yeas—13.

Bryan.	Terrell, McLennan.
Carter.	Terrell, Wise.
Lattimore.	Townsend.
McNealus.	Vaughan.
Perkins.	Ward.
Ratliff.	Warren.
Sturgeon.	

## Nays—8.

Astin.	Murray.
Hudspeth.	Peeler.
Hume.	Watson.
Kauffman.	Willacy.

## PAIRED.

Senator Meachum (present), who would vote "nay" with Senator Johnson (absent), who would vote "yea."

Senator Mayfield (present), who would vote "yea" with Senator Paulus (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Cofer (present), who would vote "yea," with Senator Adams, (absent), who would vote "nay."

Senator Weinert (present), who

would vote "nay," with Senator Greer (absent), who would vote "yea."

Senator Lattimore moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—13.

Bryan.	Terrell, McLennan.
Carter.	Terrell, Wise.
Lattimore.	Townsend.
McNealus.	Vaughan.
Perkins.	Ward.
Ratliff.	Warren.
Sturgeon.	

Nays—8.

Astin.	Murray.
Hudspeth.	Peeler.
Hume.	Watson.
Kauffman.	Willacy.

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Mayfield (present), who would vote "yea" with Senator Paulus (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay" with Senator Johnson (absent), who would vote "yea."

Senator Weinert (present), who would vote "nay," with Senator Greer (absent), who would vote "yea."

Senator Cofer (present), who would vote "yea," with Senator Adams, (absent), who would vote "nay."

Senator Meachum offered the following amendment:

Amend the bill, page 1, line 29, by striking out all after the letter "a" before the word "felony" down to and including the word "years" in line 31, and insert in lieu thereof the words "misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the county jail for a term of not more than six months or by both such fine and imprisonment, and by striking out of page 2 line 6, all after the word "a" before "felony" in said line, down to and including the word "years" in line 8, and insert in lieu thereof the penalty provided by this amendment for section one of the bill.

Senator Carter moved to table the amendment, which motion prevailed by the following vote:

Yeas—11.

Bryan.	Terrell, McLennan.
Carter.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Perkins.	Warren.
Sturgeon.	

Nays—9.

Astin.	Ward.
Hudspeth.	Watson.
Kauffman.	Weinert.
Peeler.	Willacy.
Ratliff.	

Absent.

Murray.

PAIRED.

Senator McNealus (present), who would vote "yea," with Senator Hume (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Cofer (present), who would vote "yea," with Senator Adams (absent), who would vote "nay."

Senator Mayfield (present), who would vote "yea," with Senator Paulus (absent), who would vote "nay."

Senator Astin offered the following amendment:

Amend line 8, page 2, after the word "years" the following: "provided the terms of this Act shall not apply to public or private functions where punch served is not spiked too strong for adult prohibitionists."

On motion of Senator Lattimore, the amendment was tabled.

Senator Weinert offered the following amendment:

Amend by adding after the word "years," line 31, the following: "provided, however, that whenever the parents, guardian or other persons standing in loco parentis, are in the habit of permitting any child or ward of such parent or guardian to drink

malt or vinous liquors, that the giving of any such vinous or malt liquors, at a family residence or family gathering shall not be considered an offense under the provisions of this Act."

Senator Lattimore moved to table the amendment, which motion was lost by the following vote:

Yeas—9.

Astin.	Perkins.
Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	

Nays—10.

Hudspeth.	Ward.
Kauffman.	Warren.
Peeler.	Watson.
Ratliff.	Weinert.
Terrell, McLennan.	Willacy.

Absent.

Murray. Vaughan.

PAIRED.

Senator McNealus (present), who would vote "yea," with Senator Hume (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Mayfield (present), who would vote "yea," with Senator Paulus (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Cofer (present), who would vote "yea," with Senator Adams (absent), who would vote "nay."

Action recurred on the amendment and the same was adopted by the following vote:

Yeas—14.

Astin.	Ratliff.
Greer.	Terrell, McLennan.
Hudspeth.	Ward.
Kauffman.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Peeler.	Willacy.

Nays—7.

Bryan.	Terrell, Wise.
Carter.	Townsend.
Lattimore.	Vaughan.
Sturgeon.	

Present—Not Voting.

Perkins.

Absent.

Hume.	Paulus.
Murray.	

PAIRED.

Senator Cofer (present), who would vote "nay," with Senator Adams (absent), who would vote "yea."

Senator Meachum (present), who would vote "yea," with Senator Johnson (absent), who would vote "nay."

Senator Collins (present), who would vote "nay," with Senator Real (absent), who would vote "yea."

Senator Willacy offered the following amendment:

Amend by inserting after the word "in" in line 25, page 1 of the printed bill the following: "and having knowledge of."

The amendment was read and adopted by the following vote:

Yeas—14.

Astin.	Terrell, McLennan.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Mayfield.	Ward.
Peeler.	Watson.
Perkins.	Weinert.
Ratliff.	Willacy.

Nays—7.

Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Greer.	Warren.
Lattimore.	

Absent.

Murray. Paulus.

PAIRED.

Senator Collins (present), who would vote "nay," with Senator Real (absent), who would vote "yea."

Senator Meachum (present), who would vote "yea," with Senator Johnson (absent), who would vote "nay."

Senator McNealus (present), who



would vote "nay" with Senator Hume (absent), who would vote "yea."

Senator Cofer (present), who would vote "nay," with Senator Adams (absent), who would vote "yea."

Senator Ratliff offered the following amendment:

Amend the bill by striking out everything between the word "a" in line 29 and the word "years" in line 31, page 1, and inserting the following in line thereof, "misdemeanor, and shall be punished by a fine of not less than one hundred, nor more than five hundred dollars, or by imprisonment in the county jail for a term of not less than thirty days nor more than twelve months, or by both such fine and imprisonment."

And amend by striking out everything between the word "a" in line 6, on page 2, and the word "years" in line 8, same page, and insert in lieu thereof the punishment provided by this amendment for Section 1 of the bill.

MEACHUM,  
RATLIFF.

Senator Carter moved to table the amendment, which motion prevailed by the following vote:

Yeas—12.

Bryan.	Terrell, McLennan.
Carter.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Perkins.	Ward.
Sturgeon.	Warren.

Nays—9.

Astin.	Ratliff.
Hudspeth.	Watson.
Kauffman.	Weinert.
Mayfield.	Willacy.
Peeler.	

Present—Not Voting.

McNealus.

Absent.

Hume.	Paulus.
Murray.	

PAIRED.

Senator Cofer (present), who would vote "yea," with Senator Adams, (absent), who would vote "nay."

Senator Collins (present), who

would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 10, by adding after the word "vinous" the word "malt," and line 25, page 1, by adding after the word "vinous" the word "malt," and line 2, page 2, by adding after the word "vinous" the word "malt."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend caption of bill, line 9, page 1, by inserting the word "entitled" after the figures "1907."

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 3, by adding after the word "years" the following, "whether consigned to such person or to some other person."

Senator Astin offered the following amendment:

Amend Section 1, page 1, lines 23 and 24, after word "sell" by striking out "or give or deliver."

Senator Carter moved to table the amendment, which motion was adopted.

Senator Carter offered the following amendment, which was read and adopted:

Amend page 2 by adding after Section 1, "Sec. 2," to read as follows: "Sec. 2. That Chapter 67 of the Acts of the Thirty-first Legislature passed at its regular session, approved March 17, 1909, be and the same is hereby repealed."

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 9, by striking out the words and figures, "Sec. 2," and substituting therefor the words and figures, "Sec. 3."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the printed bill, page 1, line 22, by inserting after the figures 1907 the following: "Be and the same is hereby amended so that same."

Senator Lattimore offered the fol-

lowing amendment, which was read and adopted:

Amend printed bill, page 1, line 29, by striking out the word "their" and inserting in lieu thereof the word "the," and inserting after the word "stead" in said line the words "of such parent or guardian."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 2, line 6, by striking out the word "their" in said line and inserting in lieu thereof the word "the," and by inserting after the word "stead" the following, "of such parent or guardian."

Senator Lattimore offered the following amendment:

Amend the printed bill, page 11, by striking out the word "their" in line 12 and inserting the word "the" in its place and inserting after the word "stead," in line 13, the words "of such parent or guardian."

The amendment was read and adopted by the following vote:

Yeas—11.

Bryan.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Perkins.	Ward.
Ratliff.	Warren.
Sturgeon.	

Nays—8.

Astin.	Peeler.
Carter.	Terrell, McLennan.
Greer.	Watson.
Hudspeth.	Weinert.

Absent.

Murray. Willacy.

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator McNealus (present), who would vote "yea," with Senator Hume (absent), who would vote "nay."

Senator Cofer (present), who would vote "yea," with Senator Adams (absent), who would vote "nay."

Senator Mayfield (present), who would vote "yea," with Senator Paulus (absent), who would vote "nay."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 1, by inserting a comma after the word "years" at the end of line 26, and by striking out all in lines 27 and 28, and all of line 29, down to and including the word "stead," and by striking out all after the word "years," in line 3, page 2, and down to and including the word "stead," in line 6.

Senator Warren offered the following amendment, which was read and adopted:

Amend the bill by inserting in line 26, page 1, after the word "liquors" the following: "except for medical or sacramental purposes."

Senator Meachum offered the following amendment:

Amend the bill by striking out of line 19 the words "Be it enacted."

Senator Lattimore moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—11.

Bryan.	Terrell, Wise.
Carter.	Townsend.
Lattimore.	Vaughan.
Perkins.	Ward.
Sturgeon.	Warren.
Terrell, McLennan.	

Nays—8.

Astin.	Peeler.
Greer.	Ratliff.
Hudspeth.	Watson.
Kauffman.	Weinert.

Absent.

Murray. Willacy.

PAIRED.

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Mayfield (present), who would vote "yea," with Senator Paulus (absent), who would vote "nay."

Senator McNealus (present), who would vote "yea," with Senator

Hume (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Cofer (present), who would vote "yea," with Senator Adams (absent), who would vote "nay."

Senator Carter moved the previous question on the engrossment of the bill, the motion being duly seconded was so ordered.

The bill was read second time and ordered engrossed by the following vote:

## Yeas—11.

Bryan.	Terrell, Wise.
Carter.	Townsend.
Lattimore.	Vaughan.
Perkins.	Ward.
Sturgeon.	Warren.
Terrell, McLennan.	

## Nays—7.

Astin.	Ratliff.
Hudspeth.	Watson.
Kauffman.	Weinert.
Peeler.	

## Absent.

Greer.	Willacy.
Murray.	

## PAIRED.

Senator Mayfield (present), who would vote "yea," with Senator Paulus (absent), who would vote "nay."

Senator McNealus (present), who would vote "yea," with Senator Hume (absent), who would vote "nay."

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Cofer (present), who would vote "yea," with Senator Adams (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Real (absent), who would vote "nay."

Senator Carter moved that the Constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

The motion was lost by the following vote, a four-fifths vote being necessary:

## Yeas—16.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Perkins.	Warren.

## Nays—7.

Astin.	Peeler.
Hudspeth.	Watson.
Kauffman.	Weinert.
Meachum.	

## Absent.

Adams.	Murray.
Greer.	Paulus.
Hume.	Real.
Johnson.	Willacy.

## HOUSE BILL NO. 38.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 38, A bill to be entitled "An Act to create the Seventy-first Judicial District of the State of Texas; to fix the time of holding the terms of district court in the counties composing said district; to provide for the appointment of a judge and district attorney in said district; to make all process issued or served before this Act goes into effect, including recognizances and bonds, returnable to the terms of the district court as herein fixed; to attach the unorganized counties of Cochran and Hockley to Lubbock county for the judicial and all other purposes; to repeal all laws and parts of laws in conflict with this Act, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Meachum offered the following amendment, which was read and adopted:

Amend caption of House bill No. 38 as enrolled by striking out "71st" and inserting "72nd."

Senator Meachum offered the following amendment, which was read and adopted:

Amend House bill No. 38 as enrolled, page 6, Section 8, line 13 on said page, by inserting between the words "effect"

and "returnable" the following: "including recognizances and bonds."

Senator Meachum offered the following amendment which was read and adopted:

Amend House bill No. 38 as enrolled page 2, by striking out lines 7 to 29 inclusive, and insert the following:

In the county of Lynn on the second Mondays in March and September, and may continue in session three weeks.

In the county of Dawson on the third Mondays after the second Mondays in March and September, and may continue in session two weeks.

In the county of Yoakum on the fifth Mondays after the second Mondays in March and September, and may continue in session two weeks.

In the county of Terry on the seventh Mondays after the second Mondays in March and September and may continue in session two weeks.

In the county of Lubbock on the ninth Mondays after the second Mondays in March and September, and may continue in session six weeks.

In the county of Crosby on the fifteenth Mondays after the second Mondays in March and September, and may continue in session two weeks.

In the county of Garza on the seventeenth Mondays after the second Mondays in March and September, and may continue in session three weeks.

Bill read second time, and passed to a third reading.

On motion of Senator Meachum the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Adams.	Paulus.
Greer.	Real.
Hume.	Terrell, Wise.
Johnson.	Willacy.
Murray.	

The bill was read third time, and passed by the following vote:

Yeas—22.

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Adams.	Paulus.
Greer.	Real.
Hume.	Terrell, Wise.
Johnson.	Willacy.
Murray.	

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 490.

(By Unanimous Consent.)

On motion of Senator Sturgeon the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—23.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Peeler.	

Absent.

Adams.	Murray.
Greer.	Paulus.
Hume.	Real.
Johnson.	Willacy.

On motion of Senator Sturgeon the

Senate rule requiring committee reports to lie over one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed was adopted.

The Chair laid before the Senate on Second reading,

House bill No. 490, amendment to city charter of Bonham (see House message for caption.)

Bill read second time, and passed to a third reading.

On motion of Senator Sturgeon the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Peeler.	

Absent.

Adams.	Murray.
Greer.	Paulus.
Hume.	Ratliff.
Johnson.	Real.
Mayfield.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	Perkins.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Peeler.	Willacy.

Absent.

Adams.	Creer.
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Hume.	Paulus.
Johnson.	Ratliff.
Meachum.	Real.
Murray.	

Senator Surgeon moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 244.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 244, A bill to be entitled "An Act prohibiting any physician, surgeon, osteopath, masseur, or any other person who practices medicine or the art of healing the sick or the afflicted, with or without the use of medicine, from employing or agreeing to employ, paying or promising to pay, or rewarding or promising to reward, any person, persons, firm, association of persons, co-partnership or corporation for securing, soliciting or drumming patients or patronage; to prohibit any person, persons, firm, association of persons, copartnership or corporations from accepting or agreeing to accept any payment, fee, gift, or reward, or anything of value, for securing, soliciting, or drumming for patients or patronage for any physician, surgeon, osteopath, masseur, or any other person who practices medicine or the art of healing with or without medicine, fixing the penalty for the violation of the provisions of this Act, and declaring an emergency."

Senator McNealus offered the following amendment:

Amend the bill at end of Section 3a, page 2, line 22, by adding the following: "Nothing in this Act shall be deemed to apply to proprietary remedies when sold in original packages and guaranteed by the Pure Food and Drug Act of June 30, 1906."

Senator Terrell of McLennan made a point of order on the amendment, that it was not germane to the bill, but the Chair overruled same.

Senator Terrell of McLennan moved to table the amendment, which motion to table was lost by the following vote:

## Yeas—5.

Astin.	Terrell, McLennan.
Kauffman.	Ward.
Lattimore.	

## Nays—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Mayfield.	Vaughan.
McNealus.	Warren.
Meachum.	Watson.
Perkins.	

## Present—Not Voting.

Peeler.

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

## REFUSE TO ADJOURN.

Senator Watson, at 1:15 o'clock a. m. moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

## Yeas—1.

Astin.

## Nays—17.

Carter.	Ratliff.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Peeler.	Watson.
Perkins.	

## Absent.

Adams.	Murray.
Bryan.	Paulus.
Cofer.	Real.
Greer.	Sturgeon.
Hume.	Weinert.
Johnson.	Willacy.
Mayfield.	

There being no quorum voting Senator Watson moved a call of the Senate for the purpose of securing and maintaining a quorum.

The call being duly seconded the roll was called, the following members being present:

## Present—18.

Astin.	Perkins.
Carter.	Ratliff.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Peeler.	Watson.

## Absent—13.

Adams.	Murray.
Bryan.	Paulus.
Cofer.	Real.
Greer.	Sturgeon.
Hume.	Weinert.
Johnson.	Willacy.
Mayfield.	

The Sergeant-at-Arms was instructed to bring in the absentees.

Senator Mayfield moved to excuse the absentees, the motion was lost by the following vote, a two-thirds vote being necessary.

## Yeas—6.

Lattimore.	Townsend.
Mayfield.	Vaughan.
Peeler.	Warren.

## Nays—13.

Astin.	Perkins.
Carter.	Ratliff.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Ward.
McNealus.	Watson.
Meachum.	

## Absent.

Adams.	Murray.
Bryan.	Paulus.
Cofer.	Real.
Greer.	Sturgeon.
Hume.	Weinert.
Johnson.	Willacy.

At 1:40 o'clock a. m. Senators Sturgeon and Bryan were announced at the bar of the Senate.

The Chair directed the roll called, a quorum being present, the following Senators answering to their names:

## Present—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

## HOUSE BILL NO. 244.

Action recurred on House bill No. 244, the question being on the amendment by Senator McNealus. The amendment was adopted.

Senator Collins offered the following amendment, which was read and adopted.

Amend by inserting after Section 3a as follows: "Or from advertising by hand bills and paying for services in distributing same."

Bill read second time, and passed to a third reading.

On motion of Senator Terrell of McLennan the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

The bill was read third time and passed.

Senator Terrell of McLennan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## REFUSE TO ADJOURN.

Senator Mayfield moved that the Senate adjourn until 11 o'clock a. m. March 4.

The motion was lost by the following vote:

## Yeas—5.

Astin.	Sturgeon.
Bryan.	Warren.
Mayfield.	

## Nays—16.

Carter.	Perkins.
Collins.	Ratliff.
Hudspeth.	Terrell, McLennan.
Kauffman.	Terrell, Wise.
Lattimore.	Townsend.
McNealus.	Vaughan.
Meachum.	Ward.
Peeler.	Watson.

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

## HOUSE BILL NO. 505.

(By Unanimous Consent.)

On motion of Senator Bryan the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

## Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

## Absent.

Adams.	Cofer.
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Greer.	Paulus.
Hume.	Real.
Johnson.	Weinert.
Murray.	Willacy.

On motion of Senator Bryan the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

House bill No. 505, An Act to incorporate the city of Abilene. (See House message for caption).

Bill read second time, and passed to a third reading.

On motion of Senator Bryan the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 62.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 62, A bill to be entitled "An Act to regulate the practice of veterinary medicine, surgery, and dentistry, creating a board for the examination of applicants for the practice of veterinary medicine, surgery and dentistry, to be known as the 'State Board of Veterinary Medical Examiners,' prescribing penalties for the violation of this Act, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Perkins the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

The bill was read third time and passed by the following vote:



## Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION  
NO. 8.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate Joint Resolution No. 8, Proposing to amend Sections 10, 11 and 13 of Article 7, of the Constitution of the State of Texas, relating to the University of Texas; and to amend said Article 7 of the Constitution by adding thereto a new section, to be known as Section 13a; prescribing the character of securities in which the permanent University fund may be invested; separating the Agricultural and Mechanical College of Texas from the University of Texas, and providing for the transfer of bonds of the permanent University fund to the use of said College.

The committee report with (committee) amendments was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the committee amendment line 29, page 4, by striking out the following in lines 19 and 29, inclusive, on page 2, and adding and inserting in lieu thereof the following: "of Section 4" after line 26 and inserting and by inserting in line 31 of said committee amendment and

before the word "in" the following: "Section 13a." Also by inserting the words "not less than" in line 5 on page 5 before the word "two."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend resolution, Section 5, line 13, by striking out all beginning with the word "defining" down to and including the word "bonds" in line 14, and inserting in lieu thereof the following: "and providing for their separate support," and by striking out the words and inserting in lieu thereof the following "and providing for their separate support."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed resolution by striking out all the caption from and including the word "transfer" in line 12, and inserting in lieu thereof the following: "Levy and collections of a tax for the use of said Agriculture and Mechanical College of Texas."

Senator Lattimore offered the following amendment which was read and adopted:

Amend printed resolution page 1, by striking out the words "and appropriations" in line 30 and inserting the word "and" between the word "grants" and the word "donation" in said line.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the printed resolution by striking out all in lines 20, 21 and 22 after the word "Texas" in line 20.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed resolution, page 2, line 14, by adding at the end of said line after the word "fund," the following: "Provided that should the revenue from such fund be insufficient to carry out the purposes aforesaid, the Legislature may either by appropriation or tax, or by both, supplement such fund in an amount adequate to the needs of said institution."

The resolution was read second time and ordered engrossed.

(Senator Watson in the Chair.)

SENATE BILL NO. 334.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 334, A bill to be entitled "An Act to amend Sections 1, 3 and 4 of Chapter 117 of the Acts of the Regular Session of the Thirty-first Legislature, being an act entitled An Act to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications, to provide for their proper registration and for the revocation of certificates and to fix suitable penalties for the violation of this Act, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Meachum the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	

Absent.

Adams.	Cofer.
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Greer.  
Hume.  
Johnson.  
Murray.

Paulus.  
Real.  
Weinert.  
Willacy.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 78.

(District No. 9.)

The Chair laid before the Senate on second reading, by unanimous consent,

Senate bill No. 78, A bill to be entitled "An Act to amend Sections 2, 6 and 7 of Chapter 96 of the General Laws of the State of Texas, passed by the Thirtieth Legislature (1907) at its regular session, entitled 'An Act to regulate the running of automobiles and motor vehicles, and the requiring of the owner of such machine to register his name and the number of his machine with the county clerk of the county in which he resides, for the violation of which a penalty is provided,' and to fix a maximum speed limit on circular or elliptical race tracks, courses or speedways, providing a punishment for violation, and declaring an emergency."

There being a favorable majority committee report and an adverse minority committee report, Senator Warren moved to adopt the majority committee report.

The motion was adopted.

Senator Warren offered the following amendment, which was read and adopted:

Amend the bill by striking out of line 24, page 1, the word "eighteen" and inserting in lieu thereof the words "twenty-five."

Senator Warren offered the following amendment, which was read and adopted:

Amend by striking out of line 27, page 1, the word "eight" and inserting in lieu thereof the word "twelve."

Senator Mayfield offered the following amendment:

Amend the bill, page 1, by striking out all in line 27, after the word "hour" and by striking out line 28.

The amendment was read, and lost by the following vote:

## Yeas—4.

Mayfield. Sturgeon.  
McNealus. Terrell, Wise.

## Nays—17.

Astin. Peeler.  
Bryan. Perkins.  
Carter. Ratliff.  
Collins. Terrell, McLennan.  
Hudspeth. Townsend.  
Kauffman. Vaughan.  
Lattimore. Ward.  
Meachum. Warren.  
Watson.

## Absent.

Adams. Murray.  
Cofer. Paulus.  
Greer. Real.  
Hume. Weinert.  
Johnson. Willacy.

Senator Carter offered the following amendment:

Amend the bill, page —, line 31, by striking out the word "thirty" and insert in lieu thereof the following words: "one hundred and fifty."

The amendment was read and adopted.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, line 25, by striking out all after the word "the," in line 25, down to and including the word "any" just before the word "city" in said line 25, and insert in lieu thereof the following: "within the city limits of any incorporated."

Senator Collins moved to reconsider the vote by which the amendment by Senator Carter was adopted.

The motion to reconsider the vote was adopted by the following vote:

## Yeas—12.

Astin. Sturgeon.  
Bryan. Terrell, Wise.  
Collins. Townsend.  
Lattimore. Vaughan.  
McNealus. Ward.  
Meachum. Warren.

## Nays—9.

Carter. Perkins.  
Hudspeth. Ratliff.  
Kauffman. Terrell, McLennan.  
Mayfield. Watson.  
Peeler.

## Absent.

Adams. Murray.  
Cofer. Paulus.  
Greer. Real.  
Hume. Weinert.  
Johnson. Willacy.

Action recurred on the amendment, and Senator Collins moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—12.

Astin. Sturgeon.  
Bryan. Terrell, Wise.  
Collins. Townsend.  
Lattimore. Vaughan.  
McNealus. Ward.  
Meachum. Warren.

## Nays—9.

Carter. Perkins.  
Hudspeth. Ratliff.  
Kauffman. Terrell, McLennan.  
Mayfield. Watson.  
Peeler.

## Absent.

Adams. Murray.  
Cofer. Paulus.  
Greer. Real.  
Hume. Weinert.  
Johnson. Willacy.

Senator Hudspeth offered the following amendment:

Amend Senate bill No. 78, by striking out "thirty" in line 31 and insert in lieu thereof "sixty."

HUDSPETH,  
RATLIFF.

Senator Collins moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—13.

Bryan. Terrell, McLennan.  
Collins. Terrell, Wise.  
Lattimore. Townsend.  
Mayfield. Vaughan.  
McNealus. Ward.  
Meachum. Warren.  
Sturgeon.

## Nays—8.

Astin. Peeler.  
Carter. Perkins.  
Hudspeth. Ratliff.  
Kauffman. Watson.

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

Senator Warren offered the following amendment, which was read and adopted:

Amend by inserting in line 7, page 2, after the word "bell," a comma and the word "horn."

Senator Warren offered the following amendment, which was read and adopted:

Amend by inserting in line 8, page 2 after the word "rung" a comma and the word "blown."

Senator Warren offered the following amendment:

Amend by striking out in line 31, page 1 and in line 1, page 2 the word "thirty" and insert in lieu thereof the words "thirty-five."

Senator Warren moved the previous question on the amendment and the engrossment of the bill, the motion being duly seconded was so ordered.

The amendment was then adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Warren the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—17.

Astin.	Ratliff.
Carter.	Sturgeon.
Collins.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Vaughan.
Meachum.	Ward.
Peeler.	Warren.
Perkins.	

## Nays—4.

Bryan.	Kauffman.
Hudspeth.	Watson.

## Absent.

Adams.	Murray.
Cofer.	Paulus.
Greer.	Real.
Hume.	Weinert.
Johnson.	Willacy.

The bill was read third time and the roll call developed no quorum voting, as follows:

## Yeas—13.

Bryan.	Terrell, McLennan.
Carter.	Terrell, Wise.
Collins.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Perkins.	

## Nays—7.

Astin.	Peeler.
Hudspeth.	Ratliff.
Kauffman.	Watson.
Lattimore.	

## Absent.

Adams.	Paulus.
Cofer.	Real.
Greer.	Sturgeon.
Hume.	Weinert.
Johnson.	Willacy.
Murray.	

There being no quorum present, Senator Perkins moved a call of the Senate, for the purpose of securing and maintaining a quorum, the motion being duly seconded, was so ordered.

The roll was called, the following Senators answering to their names:

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Watson.

## Absent.

Adams.	Paulus.
Cofer.	Real.
Greer.	Sturgeon.
Hume.	Weinert.
Johnson.	Willacy.
Murray.	

Senator Terrell of McLennan moved to excuse the absentees, but the motion was lost.

Senator Collins moved that the Senate adjourn until 12 o'clock, Saturday, March 4.

The motion was lost.

Senator Hudspeth moved that the

Sergeant at Arms be instructed to bring in the absentees.

#### BILLS SIGNED.

The Chair, Lieut.-Gov. Davidson, gave notice of signing and did sign, after their captions had been read, the following bills:

House bill No. 302, A bill to be entitled "An Act creating the Oak Alla Independent School District in Burnet county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only, under the General Laws, and declaring an emergency."

House bill No. 323, A bill to be entitled "An Act to authorize the county commissioners' court of Bexar county, Texas, to levy a special road tax of ten cents on the one hundred dollars valuation in addition to the regular road taxes now authorized by law, for the purpose of building good roads and extending, improving and repairing the roads in said county, and declaring an emergency."

House bill No. 324, a bill to be entitled "An Act to amend an Act passed by the Thirty-first Legislature at its Regular Session, being House bill No. 56, styled: 'An Act to create a more efficient road system for Bexar county, in the State of Texas, and creating an emergency,' approved February 24, 1909, so as to provide a method for the commissioners court to protect the roads of Bexar county from encroachment and injury, and providing penalties for a violation, and declaring an emergency."

House bill No. 381, A bill to be entitled, "An Act to amend Section 1 of Chapter 3 of an Act passed at the First Called Session of the Twenty-second Legislature, entitled 'An Act to organize and establish the Twenty-first Judicial District, to fix the time of holding courts therein, and to repeal all laws and parts of laws in conflict therewith, and to change the time of holding the terms of the district court of Bastrop county and conform the issuance, service and return of process from said court to such change, and to repeal all laws and parts of laws in conflict herewith.'"

House bill No. 253, A bill to be entitled "An Act amending the special road laws in force in Smith county, Texas."

House bill No. 254, A bill to be entitled "An Act amending Sections 6 and 7 of An Act passed by the Regular Session of the Thirty-first Legislature, entitled 'An Act to repeal Chapter 31 of the Local and Special Laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson county, Texas, and approved March 20,' and declaring an emergency."

House bill No. 428, A bill to be entitled "An Act to authorize and empower county commissioners precincts or any defined subdivision thereof of Burnet county, Texas, to determine by vote of the resident qualified tax paying voters of any county commissioners' precinct or any defined subdivision thereof of said county whether or not the bonds of any such county commissioners' precinct or defined subdivision thereof shall be issued in any amount not to exceed one-fourth of the assessed valuation of the real property of such county commissioners' precinct or any defined subdivision thereof for the purpose of constructing and maintaining macadamized, graveled or paved roads and turnpikes or in aid thereof within such precinct or defined subdivision, etc., and declaring an emergency."

House Concurrent Resolution No. 35, expressing the hope that the declining years of Hon. Geo. W. Brackenridge may be as peaceful as his life has been beneficial to civilization.

House Concurrent Resolution No. 33, requesting the Governor to return House bill No. 317 to the House for correction.

House Concurrent Resolution No. 36, requesting the Governor to return House bill No. 2 for correction.

Senator Lattimore, at 4:10 o'clock a. m., March 4, moved that the Senate adjourn until 2 o'clock p. m., Saturday, March 4.

The motion was lost.

#### ADJOURNMENT.

Pending discussion, Senator Lattimore moved that the Senate adjourn until 2 o'clock Saturday afternoon, March 4.

Senator Perkins moved, as a substitute, that the Senate adjourn until 2:30 o'clock Saturday.

The substitute motion was lost.

The motion to adjourn until 2

o'clock p. m. Saturday, March 4, was adopted.

### APPENDIX.

#### COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred House bill No. 407, beg leave to report that we have had same under consideration, and recommend that it do pass, be not printed, but be printed in the Journal.

Willacy, Chairman; Warren, Murray, Weinert, Paulus, Meachum, Terrell of Bexar, Peeler, Astin, Bryan, Hudspeth.

That part of the committee report relating to the printing of the bill in the Journal was adopted.

(Following is the bill in full.)

#### A BILL To Be Entitled

An Act to amend Chapter 81 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature of Texas, entitled "An Act providing for surveys within this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and water ways, and for either or any of them, to prevent overflows, to procure drainage, and for the improvement of rivers, creeks and streams by levees, or otherwise, to prevent overflows; to provide for the creation of a State levee and drainage board, and the defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as State Levee and Drainage Commissioner, defining his powers, and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this Act; and making an appropriation to carry out the provisions of this Act; and declaring an emergency;" stating the primary object of the Act; authorizing and ordering the necessary survey and other work required to design, plan or mark

out upon the ground improvements such as levees, drains, etc., necessary to reclaim for agricultural uses the overflowed and swamp lands and other lands within this State; describing such lands as shall not be surveyed or mapped under this Act; providing for base measurements, bench marks and other reference marks; prohibiting the use of any money herein appropriated for the actual construction of the said improvements; creating a State Levee and Drainage Board, and defining its powers; placing all said work under general supervision of said board; empowering said board to determine at what points said survey shall be made; authorizing said board to make proper division and allotment of money herein appropriated; authorizing said board to publish results of said surveys; empowering said board to approve agreements for co-operation with other branches of the Federal and State governments; providing for the selection of a State Levee and Drainage Commissioner, and prescribing his powers and duties; authorizing the said Commissioner to employ necessary assistants and incur and authorize other necessary expenses; to formulate and enforce reasonable rules governing the conduct of his official duties; empowering him to confer with other branches of the Federal and State governments to obtain assistance and solicit co-operation; defining his duties; authorizing the said Commissioner to give technical advice to communities or districts, and prohibiting his acceptance of extra compensation therefor; instructing him to maintain a suitable office within the State capitol; providing for the payment of a salary and expenses of said Commissioner; making an appropriation to carry out the provisions of this Act; and providing for the reimbursement to the State of the money expended under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 81 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, entitled "An Act providing for surveys within this

State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and water ways, and for either or any of them, to prevent overflows, to procure drainage, and for the improvement of rivers, creeks and streams by levees, or otherwise, to prevent overflows; to provide for the creation of a State Levee and Drainage Board, and defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as the State Levee and Drainage Commissioner, defining his powers and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this Act; and making an appropriation to carry out the provisions of this Act; and declaring an emergency," be and the same is hereby amended so as to read as follows, to wit:

Sec. 2. That the primary object of this Act shall be to devise and plan and mark out upon the ground all the improvements necessary to reclaim, or cause to become suitable for agricultural uses, the overflowed and swamp lands and overflowed areas in the coastal plain, and other lands within this State, which, by reason of the temporary excessive accumulation of water thereon, or contiguous thereto, are not suitable for such uses, and, to accomplish the said primary purpose, it is hereby authorized and ordered that the necessary investigations, examinations, measurements, computations, estimates, surveys, maps, reports, and publications shall be made, and any other necessary work incident thereto shall be done, which may be required in the process of designing, planning or marking out upon the ground the most effective, practical, permanent, economical, feasible, and equitable improvements or systems of improvements, such as levees, dikes, dams, canals, drains, water ways and reservoirs, any or all of them, and other improvements incidental thereto, and that in so far as possible the said improvements shall be designed, planned or marked out upon the ground with primary consideration to the topographic and hydrographic conditions, and in such manner that each division of the said improvements shall be a complete, united project, forming a co-ordinate part of an ultimately finished series of projects,

so constituted that the successful operation of the improvements in each united project shall co-operate to the successful operation of the improvements in the other united projects existing within the same hydraulic influence; and the said improvements and systems of improvements shall be discussed in reports, shown on maps, drawings or diagrams, or otherwise recorded, reproduced, delineated, or published; and all such final results of the work herein authorized, which are or may be of value to the State of Texas, shall be filed for public reference as hereinafter provided. Provided, that this Act shall not be construed as authorizing the consideration, survey or mapping of lands which, as a whole, are not in need of the said reclamation, or which are not considered feasible of the said reclamation, or which do not bear directly upon the proper technical solution of the problem involved in the said reclamation, or which, by reason of existing circumstances, can not be considered as of public interest; except that any necessary base measurements may be connected with the nearest practicable base stations; and that necessary and appropriate bench marks and other marks of references may be established and platted upon the ground. And provided, further, that no part of the money herein appropriated shall be used in the actual construction of any of the improvements herein authorized to be devised, planned or marked out upon the ground.

Sec. 3. For the purpose of carrying out the provisions of this Act there is hereby created and established a board, to be known as the State Levee and Drainage Board, composed of the Governor, who shall be chairman of said board; the Attorney General and the Commissioner of the General Land Office; and that a majority of said board shall constitute a quorum, with power to act.

Sec. 4. The said board shall have general supervision of all work authorized by this Act, and shall have power to determine at what points, within the territory herein prescribed, the said work shall be done, and when not in conflict with the provisions of this Act, shall make such division and allotment of the money herein appropriated as to properly carry out the provisions of this Act; and shall determine the manner and the season that the results of the

said work shall be made public. The said board shall have the further power, if in its judgment it will subserve the best interests of the State of Texas, to accomplish the objects herein provided for, to make and approve agreements or contracts for co-operation with any branch or branches of the Federal or State government for the doing of all or any part of the work herein authorized. Provided, that the said board shall also have the power to cancel the said co-operative agreements or contracts upon ten days' written notice to the branch or branches of the Federal or State governments concerned; and provided, that if said board shall deem the said co-operation not to be to the best interest of the State of Texas, then it is hereby made the duty of the said board to cause to be accomplished the objects of this Act independent of the co-operation of Federal or State governments.

Sec. 5. The said board shall elect a commissioner to be known as the State Levee and Drainage Commissioner, who shall be a thoroughly experienced and skilled topographer and hydrographer, and who shall be the executive officer and technical adviser and the secretary to the said board. The said Commissioner shall receive from the State, as compensation for his services, the sum of twenty-five hundred dollars (\$2,500), per annum, payable monthly; and in addition to his salary he shall be reimbursed for his actual and necessary traveling and station expenses while engaged upon his official duties in the field.

Sec. 6. The said Commissioner, with the approval of the said board, shall have power to employ such assistants, to make or authorize to be made such purchases, to incur or authorize to be incurred such other expenses, and to formulate and enforce such reasonable and proper rules and regulations governing his official work, and the work of his assistants, both in the office and in the field, as may be necessary to perform with correct dispatch and economy the work herein authorized to be done. And the said Commissioner is further empowered to confer with any branch of the Federal or State governments with a view to obtaining authority, assistance or advice in connection with his official work whenever necessary or desirable, and he

shall solicit the co-operation of any other branch of the Federal or State governments whenever such co-operation may be to the best interests of the State of Texas. Provided, that no agreement or contract for the said co-operation shall be valid until made in writing and approved and countersigned by the said board, as provided in Section 4 of this Act. It shall be the duty of the said Commissioner to perform, conduct or supervise the work herein authorized, and to execute such additional or supplemental orders and instructions not incompatible with his prescribed duties, as the board may direct. It shall further be the duty of the Commissioner, with the approval of the said board, to confer in a technical capacity with communities or districts within this State that have, by written petition, addressed to the said board, requested his technical advice with a view to the adequate execution of proposed levee and drainage reclamation improvements contemplated in such communities or districts, for which technical advice the said Commissioner shall receive no extra compensation.

Sec. 6a. That hereafter any improvement district or drainage district organized under the provisions of the law authorizing the organization and conducting of such improvement or drainage district, which takes advantage of the information furnished by the hydrographic and topographic survey provided for in this Act, shall, when such improvement or drainage district is organized and issues bonds, pay to the State Levee and Drainage Board the sum of ten cents per acre, either in cash or bonds of such district, for each and every acre contained within the boundaries of such improvement or drainage district, such ten cents per acre being intended to reimburse the State for the work contemplated by and under the provisions of this Act, which, when paid, shall be used by said board for the further carrying out of the provisions of this Act. It is further provided that such improvement and drainage district is hereby authorized to issue a bond in an amount equal to ten cents per acre of land in such improvement or drainage district with which to reimburse the State as above provided.

Sec. 7. The said Commissioner shall have and maintain within the State capitol an office suitable for



the proper performance of his technical and general office work, and in which it shall be his duty to safely file, for public reference, all final results of the work herein authorized, as provided in Section 2 of this Act.

Sec. 8. For the purpose of carrying out the provisions of this Act there is hereby appropriated all the unexpended balance in the appropriation made by Chapter 81, Acts of the Thirty-first Legislature, page 136, entitled "An Act providing for surveys within this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and water ways," etc., said sum as remaining unexpended or so much thereof as may be necessary is hereby re-appropriated for the purposes provided for in this Act, to be expended under the provisions of this Act during the two years immediately following the taking effect of this Act, and to be paid on warrants drawn by the Comptroller on vouchers approved by the State Levee and Drainage Board. It is provided further, that if the work contemplated by the provisions of this Act should not be completed at the time the above and foregoing appropriation has been exhausted, and the State Levee and Drainage Board decides to continue said work, then, in that event, the further sum of twelve thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended on warrants drawn by the Comptroller on vouchers approved by the State Levee and Drainage Board during the two fiscal years following the taking effect of this Act.

Sec. 9. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 10. The fact that Chapter 81 of the Act of the Thirty-first Legislature, creating the State Levee and Drainage Board, and the office of State Levee and Drainage Commissioner, is of defective and doubtful construction; that the work of the said board for the past two years is delayed on account of these defects; that the present time of the year is decidedly the best season in which to perform the work herein authorized; that numerous communities and districts within the State are being compelled to wait for the final results of the surveys already completed in the

field—these facts create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three consecutive days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(Majority Report.)

Committee Room,  
Austin, Texas, Mar. 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred House bill No. 226, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, but printed in the Journal of today.

TERRELL of McLennan,  
Chairman.

That part of the committee report relating to the printing of the above bill in the Journal was adopted.

(Minority Report.)

Committee Room,  
Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Constitutional Amendments, to whom was referred House bill No. 226, have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do not pass.

TERRELL of McLennan.

(The following is the bill in full.)

A BILL

To Be Entitled

An Act appropriating the sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary, for the enforcement of any and all laws and for the purpose of paying any and all necessary expenses in bringing and prosecuting any and all suits; and for the employment of special counsel and paying the expenses in collecting evidence; and providing that such appropriation shall be expended under the direction of

the Attorney General; and declaring an emergency.  
Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of enforcing any and all laws of the State of Texas, including the anti-trust laws, land laws, revenue laws, and laws against corporations violating the liquor or other laws, and for the purpose of paying any and all necessary expenses in bringing suits, prosecuting same, collecting evidence, and for the employment of special council, there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, to be expended under the direction of the Attorney General, and to be paid upon warrants drawn by the Comptroller of Public Accounts on vouchers approved by the Attorney General.

Sec. 2. The fact that adequate provision should be immediately made for the enforcement of the anti-trust laws and conducting investigations into the violations of same, and for the recovery of lands belonging to the public school fund, University and the State, and for the enforcement of all laws of this State, including the revenue laws and laws against corporations violating the liquor and other laws and the pendency of a large number of suits brought by the Attorney General for the recovery of many thousands of acres of land embraced by the terms of this Act, which suits will come to trial in the near future, and the further fact that the Attorney General has in the course of preparation suits against corporations violating the liquor and other laws, creates an emergency and an imperative public necessity requiring that the constitutional rule which provides that bills shall be read on three several days, be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred.

House bill No. 514, A bill to be en-

titled "An Act to create a more efficient road system for Leon county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners and defining the powers and duties of such county commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts on the public roads of said county; and providing for officers' fees and rewards and penalties for said convicts, and rewards for the capture of escaped convicts; and to provide for the manner of training and maintaining hedges along all public roads; and to provide for the summoning of teams for road work, and for allowance for time of road service for the same, and fixing a penalty for violation of this act; and to repeal all laws in conflict herewith,

Beg leave to report that we have had same under consideration and recommend that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus, Perkins.

(Floor Report.)

Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred.

Senate bill No. 349, A bill to be entitled "An Act to amend Section 1, of Chapter 43, Special Laws of the Twenty-ninth Legislature, as amended by Chapter 68, of the Special Laws of the Thirtieth Legislature, same being an Act to create a more efficient road system for Robertson county, Texas, and providing for the levy of a special tax for road and bridge purposes, and for the pro-rata and distribution of the money collected by virtue of such tax, and for the bonding of the valid outstanding registered indebtedness against the road and bridge fund of said county, and providing for the pay of the county commissioners of said county, when performing the duties imposed upon them as road commissioners, and declaring an emergency."

Beg leave to report that we have had same under consideration and

recommend that it do pass and be not printed."

Greer, Chairman; Perkins, Ratliff, Weinert.

(Floor Report.)

Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred.

House bill No. 247, A bill to be entitled "An Act creating a more efficient road system for Upshur county, Texas; prescribing the powers and duties of the commissioners' court with reference to public roads, making members of the commissioners' court ex officio road superintendents of their respective precincts; and defining and prescribing their duties as such; prescribing the powers and duties of the road overseers; designating who are liable to road service, prescribing their duties and privileges; prescribing additional revenue for roads and bridges by additional ad valorem tax; prescribing how road and bridge funds shall be expended; prescribing penalties for the violation of the provisions of this Act; providing that this Act be cumulative of all laws on the subject of roads and bridges and that it be taken notice of by the courts as all other General Laws of the State; repealing all laws in conflict and declaring an emergency,"

Beg leave to report that we have had same under consideration and recommend that it do pass and be not printed.

Greer, Chairman; Weinert, Hume, Paulus, Ratliff.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judiciary No. 2, to whom was referred

House bill No. 329, A bill to be entitled "An Act to amend Article 1097 of the Code of Criminal Procedure of the State of Texas,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred.

House bill No. 182, A bill to be entitled "An Act to create the county of Culberson out of a part of the territory included within the limits of the county of El Paso, in the State of Texas, and to provide for the organization of said county of Culberson,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

Senate bill No. 341, A bill to be entitled "An Act to amend Section 1 of Chapter 165, of the General Laws of the State of Texas, passed by the Twenty-fifth Legislature (1897) at its Regular Session, entitled "An Act to authorize corporations to engage in the business of becoming surety on bonds, undertakings, recognizances and other obligations required or permitted by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization, court, judge or other public officer, to be made, given, tendered or filed, with surety or sureties, and guaranteeing the refraining from or performance by another of any act, duty or obligation, and to regulate such business, and to repeal Chapter 16, Title 21, of the Revised Statutes of the State of Texas," and providing that all courts, judges, heads of departments, boards, bodies, municipalities and public officers of every character, shall accept and treat such bond, undertaking, obligation, recognizance or guaranty when so executed by such company as conforming to and fully and completely complying with every requirement of every such law, charter, ordinance, rule or regulation, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consid-

eration and I am instructed to report it back to the Senate with the recommendation that it do pass.

Ward, Chairman; Murray, Warren, Lattimore, Vaughan, Peeler, Watson, Astin, Weinert, Hume, Greer, Carter.

(Floor Report.)

Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred,

Senate bill No. 340, "An Act to regulate the time for holding the district courts in the various counties composing the Fifth Judicial District of Texas, and validating process, so as to give Titus county one more week, and declaring an emergency,"

Beg leave to report that we have had same under consideration, and recommend that it do pass, and be not printed.

Hudspeth, Chairman; Murray, Paulus, Hume, McNealus, Carter, Weinert, Watson, Peeler, Meachum, Kauffman.

Committee Room,  
Austin, Texas, March 2, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred,

House bill No. 292, A bill to be entitled, "An Act to amend Section 8 of Chapter 18 of the General Laws of the First Called Session of the Thirtieth Legislature, and imposing an occupation tax on fire, fire and marine, marine, marine and inland, and tornado insurance companies transacting business in this State; prescribing the rate of tax and methods of its measurement, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

ASTIN, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Public Lands and Land Office, to whom was referred,

Senate bill No. 304, A bill to be entitled "An Act to quiet titles to lands located and surveyed by virtue of land certificates granted under the Act of Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or Confederate States, a land certificate, for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and such surveys,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

MURRAY, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Public Lands and Land Office, to whom was referred,

Senate bill No. 304, A bill to be entitled "An Act to quiet titles of lands located and surveyed by virtue of land certificates granted under the Act of the Legislature of the State of Texas, entitled 'An Act granting to all persons who have been permanently disabled by reason of wounds received while in the service of this State or the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such locations and surveys."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

Astin, Hudspeth.

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred,

Senate bill No. 325, A bill to be entitled "An Act to amend Section 1, Chapter 182, of the Acts of the Twenty-ninth Legislature, as amended by Chapter 11, Acts of the Thirty-first Legislature, so as to permit the owner of lands or lots sold to the

State or to the city or town for taxes to redeem the same, with an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred,

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of fish and oysters within tide water limits along the gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells, that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs or bars that may be within the limits herein defined; and the place of said islands, lakes and bays, and the shells, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of such shells, marl and sand, shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public

Lands and Land Office, to whom was referred,

Senate bill No. 326, A bill to be entitled "An Act to authorize the commissioners' court of any county in Texas to cause to be made a topographical survey of all lands within the boundaries of any such county, and to compile a correct topographical map thereof, and place the same of record for public use in the establishment of drainage districts, valuation of lands and the assessment thereof, construction of public roads and bridges, and other public and private purposes, and to employ civil engineer or engineers and other employees to make such survey and maps, and to pay the expense of such surveys and maps and the record thereof out of the general fund of such county, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred,

House bill No. 490, "An Act to incorporate the city of Bonham, and to grant it a new charter, to define its powers, and to prescribe its duties and liabilities, and declaring an emergency."

Beg leave to report that we have had same under consideration, and recommend that it do pass and be not printed.

Meachum, Chairman; McNealus, Vaughan, Lattimore, Collins, Huds-peth, Perkins, Peeler, Terrell of McLennan, Kauffman, Hume.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 565, A bill to be entitled "An Act to incorporate the city of Sulphur Springs, Hopkins county, Texas, and to grant it a new charter; to provide for a commis-

sion form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city; to validate the acts of said city as it now exists; to repeal all Acts and parts of Acts in conflict herewith, and to declare an emergency."

Beg leave to report that we have had same under consideration and recommend that it do pass and be not printed.

Meachum, Chairman; McNealus, Hume, Lattimore, Vaughan, Collins, Hudspeth, Perkins, Peeler, Terrell of McLennan, Kauffman.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 505, A bill to be entitled "An Act to incorporate the city of Abilene, Taylor county, Texas, defining its boundaries; and to grant it a special charter for its local government; to define its powers; to prescribe its duties and liabilities; creating it an Independent School District; re-establishing the boundaries of the North Park Common School District in said county, repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Beg leave to report that we have had same under consideration and recommend that it do pass and be not printed.

Meachum, Chairman; Hume, Collins, Hudspeth, Vaughan, Lattimore, Peeler, Terrell of McLennan, Kauffman.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 445, A bill to be entitled "An Act to grant a new charter to the city of San Angelo, in Tom Green county, Texas, and to fix the boundaries thereof, and to repeal all laws and parts of laws

in conflict herewith, and declaring an emergency."

Beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

Meachum, Chairman; McNealus, Lattimore, Vaughan, Collins, Kauffman, Hudspeth.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 336, A bill to be entitled "An Act to incorporate the Mineola Independent School District in Wood county, Texas, for free school purpose only, defining its boundaries and providing for a board of trustees; divesting the city of Mineola of the control of its public schools, and title to school property, and vesting same in said Mineola Independent School District, and its board of trustees; prescribing the rights, powers, privileges and duties of said Mineola Independent School District, and its board of trustees, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Ratliff, Astin, Weinert, Warren, Ward, Watson, Paulus, Sturgeon.

(Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 288, A bill to be entitled "An Act to validate certain deeds and sales made by a commissioner appointed by the commissioners' court of Mason county and by the trustees of the town of Mason, incorporated for school purposes."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Astin, Weinert, Warren, Ward, Watson, Ratliff, Paulus, Sturgeon.

## (Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 496, A bill to be entitled "An Act creating the Jourdanton Independent School District in Atascosa county, Texas, and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; investing said district with all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Astin, Weinert, Warren, Ward, Watson, Paulus, Ratliff, Sturgeon.

## (Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 488, A bill entitled, "An Act to incorporate the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only, defining its boundaries and providing for a board of trustees, divesting the city of Winnsboro of the control of its public school and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees; prescribing the right, powers, privileges and duties of said Winnsboro Independent School District and its board of trustees, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Astin, Weinert, Warren, Ward, Watson, Ratliff, Sturgeon.

## (Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

House bill No. 476, A bill entitled "An Act to Amend Section 1 of an Act creating and incorporating the Martindale Independent School District, enacted by the Thirty-first Legislature (Regular Session, Chapter 28, page 215, Special Laws of Texas), and providing an emergency,

Beg leave to report that we have had this bill under consideration and recommend that it do pass, and be not printed.

Perkins, Chairman; Paulus, Collins, Astin, Ratliff, Sturgeon, Weinert, Warren, Hume, Ward, Watson.

## (Floor Report.)

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, Your Committee on Educational Affairs, to whom was referred,

Senate bill No. 345, A bill to be entitled "An Act creating an independent school district in the counties of Lavaca, Colorado, Wharton and Jackson, State of Texas, to be known as Provident City Independent School District, and to have all the powers, rights and duties of independent school districts; formed by the incorporation of towns and villages for free school purposes only, and declaring an emergency,

Beg leave to report that we have had same under consideration, and recommend that it do pass and be not printed.

Perkins, Chairman; Astin, Ratliff, Ward, Watson, Sturgeon, Paulus, Collins, Hume, Weinert, Warren.

## Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared.

Senate bill No. 247, A bill entitled "An Act to validate all sales made out of leases of unsurveyed school lands that may have been erroneous by reason of a lack of definiteness of lease holds and unmarked survey

lines, and all sales made of lands in four section counties, and eight section counties, and such sales of land as may have been made in a four section county, and other sales in an eight section county, as may have been erroneous on account of a lack of clearness in the statute, regulating the rights of purchasers in four section counties and in eight section counties, are hereby validated and declared to be good sales so far as the probably errors herein mentioned may affect such sales.

And find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 322, A bill to be entitled "An Act to authorize Aransas county, in compliance with the provisions of Chapter 134 of the General Laws of the Thirtieth Legislature, approved April 18, 1907, to build a causeway and to erect a drawbridge across the waters of Aransas Bay, between the southern end of Lamar peninsula, at or near the old town of Lamar, in said county, and the northern end of Live Oak peninsula; also in said county, for the purpose of connecting the public road system of said county between Lamar and Live Oak peninsulas, and to authorize the issuance of county bonds, under the provisions of said Chapter 134 of the General Laws of the Thirtieth Legislature, for the construction of said causeway and bridge, and for the construction and maintenance of a public highway along and upon same between such points."

And find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 335, A bill to be entitled "An Act incorporating the Meridian Independent school district in Bosque county, Texas, for free school purposes only, defining its

boundaries, and providing for a board of trustees divesting the city of Meridian, its mayor, city council and board of trustees of the public free schools within said city, of the control of its public free schools, and of the title to school property therein, and vesting the same in the said Meridian Independent school district, and declaring an emergency."

And find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 316, A bill to be entitled "An Act to amend Article 4785a, of Chapter 6, of Title 97, of the Revised Civil Statutes of 1895 of the State of Texas, so as to take the county of Goliad out of the counties which are exempted by this Article from the provisions of said Chapter, which Chapter provides for the appointment of road superintendents, so as to bring Goliad county under the provisions of said chapter," and find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 332, A bill to be entitled "An Act to amend the charter of the city of Tyler, in the State of Texas, and declaring an emergency," and find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 1, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 226, A bill to be entitled "An Act for the relief of the Houston Light Guard, a militia company known as company A, Third Infantry, Texas National Guard; validating its title to armory property in the city of Houston, Texas, and de-



declaring an emergency," and find the same correctly engrossed.

M'NEALUS, Acting Chairman.

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 333, A bill to be entitled "An Act to authorize the board of city commissioners of the city of Galveston to fix the salaries of all its employes in the police department and fire department in said city; to fix the salary of the chief of police, the city engineer, the assistant engineer, the bookkeeper and draftsman in the engineering department of said city, the superintendent of streets, the employes of the department of water-works and sewerage, of the plumbing inspector and the assistant city tax collector, and provisions for all commissions paid to any officers are to be turned over to the city, providing for the consolidation of certain offices, and fixing the rate of the city of Galveston for general purposes not to exceed 73 cents on the one hundred dollar valuation of the property of said city, and authorizing the board of commissioners of the city of Galveston to sell and convey by a proper deed for not less than fifty thousand dollars in cash to the Gulf, Colorado & Santa Fe Railway Company the interest of the said city in the lots and block known as the East End Park, and declaring an emergency," and find the same correctly engrossed.

COFER, Chairman.

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House Concurrent Resolution No. 31, A resolution to be entitled, "Resolved by the House of Representatives, the Senate concurring, that the Superintendent of Public Buildings and Grounds is hereby authorized and empowered to lease subject to the approval of the Governor, any lots or parts of lots or any land belonging to the State of Texas, situated in the city of Austin. Said lease contract shall be in writing and for a term not exceeding five years,

but may be released at any time and the said Superintendent of Public Buildings and Grounds is hereby authorized and empowered to sell sand and gravel to be removed from said lands and lots including the deposit of sand and gravel in the bed of the Colorado river on the islands of the said river, within the corporate limits of the city of Austin,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator McNealus:

Petition numerously signed by members of the Dallas Bar Association endorsing the bill introduced by Senator Ward, which proposes to create the Seventy-first Judicial District, and urging the Legislature to pass same.

By Senator Ratliff:

Telegram from Greenville, Texas, signed by Fred Horton, reading as follows:

"Be sure and assist Senator Perkins pass Veterinary bill, House bill No. 62, tomorrow. Senators Vaughan and Sturgeon promised me they would help. Our whole section of country deeply interested."

By Senator Collins:

Petition numerously signed by citizens of Newton county, urging passage of the bill authorizing the consolidation of the Missouri, Kansas and Texas Railway and the Texas Central Railway systems.

#### THIRTY-SIXTH DAY.

Senate Chamber,  
Austin, Texas,

Saturday, March 4, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.  
Astin.  
Bryan.  
Carter.

Cofer.  
Collins.  
Greer.  
Hudspeth.